

|               |                |             |
|---------------|----------------|-------------|
| Titus         | Walz           | Williams    |
| Tonko         | Wasserman      | Wilson (FL) |
| Tsongas       | Schultz        | Wilson (SC) |
| Upton         | Waters, Maxine | Womack      |
| Van Hollen    | Webster (FL)   | Yarmuth     |
| Wagner        | Welch          | Yoho        |
| Walden        | Wenstrup       | Young (IA)  |
| Walker        | Westerman      | Young (IN)  |
| Walorski      | Westmoreland   | Zeldin      |
| Walters, Mimi | Whitfield      | Zinke       |

NAYS—156

|               |                 |                |
|---------------|-----------------|----------------|
| Adams         | Gutiérrez       | Palmer         |
| Aguilar       | Hanna           | Paulsen        |
| Amash         | Hartzler        | Pearce         |
| Ashford       | Hastings        | Perry          |
| Babin         | Heck (NV)       | Peters         |
| Bass          | Herrera Beutler | Peterson       |
| Benishkek     | Hice (GA)       | Pittenger      |
| Bera          | Hill            | Poe (TX)       |
| Beyer         | Holding         | Poliquin       |
| Bost          | Honda           | Price (GA)     |
| Boyle (PA)    | Hudson          | Ratcliffe      |
| Brady (PA)    | Huizenga (MI)   | Reed           |
| Brownley (CA) | Hunter          | Reichert       |
| Burgess       | Israel          | Renacci        |
| Capuano       | Jackson Lee     | Rice (NY)      |
| Castor (FL)   | Jenkins (KS)    | Rigell         |
| Chaffetz      | Jenkins (WV)    | Rogers (AL)    |
| Clarke (NY)   | Johnson (OH)    | Ros-Lehtinen   |
| Clawson (FL)  | Jones           | Rouzer         |
| Cleaver       | Jordan          | Royal-Allard   |
| Clyburn       | Joyce           | Rush           |
| Coffman       | Kilmer          | Ryan (OH)      |
| Cohen         | Kind            | Sánchez, Linda |
| Collins (GA)  | Kinzinger (IL)  | T.             |
| Connolly      | Kirkpatrick     | Sarbanes       |
| Conyers       | Lance           | Schakowsky     |
| Costa         | Langevin        | Schock         |
| Costello (PA) | Lawrence        | Schrader       |
| Crowley       | Levin           | Sewell (AL)    |
| Cummings      | Lewis           | Sires          |
| Curbelo (FL)  | LoBiondo        | Slaughter      |
| Davis, Danny  | Love            | Swailwell (CA) |
| Davis, Rodney | Lowenthal       | Thompson (CA)  |
| DeFazio       | Luján, Ben Ray  | Thompson (MS)  |
| Delaney       | (NM)            | Thompson (PA)  |
| Denham        | Lynch           | Tiberi         |
| DeSantis      | MacArthur       | Tipton         |
| Dingell       | Maloney,        | Torres         |
| Dold          | Carolyn         | Trott          |
| Duffy         | Maloney, Sean   | Turner         |
| Farenthold    | McDermott       | Valadao        |
| Fincher       | McGovern        | Vargas         |
| Fleming       | McKinley        | Veasey         |
| Flores        | Meehan          | Vela           |
| Foxx          | Messer          | Velázquez      |
| Fudge         | Moulton         | Viscosky       |
| Garamendi     | Mulvaney        | Walberg        |
| Garrett       | Murphy (FL)     | Watson Coleman |
| Gibson        | Neal            | Weber (TX)     |
| Graves (GA)   | Noian           | Wittman        |
| Graves (MO)   | Norcross        | Woodall        |
| Green, Gene   | Palazzo         | Yoder          |
| Grijalva      | Pallone         | Young (AK)     |

ANSWERED "PRESENT"—1

Gohmert

NOT VOTING—12

|             |          |                  |
|-------------|----------|------------------|
| Cartwright  | Gallego  | Roskam           |
| Doggett     | Hoyer    | Ruiz             |
| Duckworth   | Lee      | Sanchez, Loretta |
| Fitzpatrick | Roe (TN) | Scott, David     |

□ 1518

Mr. PALMER changed his vote from "yea" to "nay."

So the Journal was approved.

The result of the vote was announced as above recorded.

PERSONAL EXPLANATION

Mr. ROE of Tennessee. Mr. Speaker, I was unable to vote today because of a serious illness in my family. Had I been present, I would have voted: rollcall No. 71—"yea", rollcall No. 72—"aye", rollcall No. 73—"yea."

KEYSTONE XL PIPELINE APPROVAL ACT

GENERAL LEAVE

Mr. SHUSTER. Madam Speaker, I ask unanimous consent that all Mem-

bers have 5 legislative days to revise and extend their remarks and include extraneous materials on S. 1.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. SHUSTER. Madam Speaker, pursuant to House Resolution 100, I call up the bill (S. 1) to approve the Keystone XL Pipeline, and ask for its immediate consideration in the House.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Pursuant to House Resolution 100, the bill is considered read.

The text of the bill is as follows:

S. 1

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

SECTION 1. SHORT TITLE.

This Act may be cited as the "Keystone XL Pipeline Approval Act".

SEC. 2. KEYSTONE XL APPROVAL.

(a) IN GENERAL.—TransCanada Keystone Pipeline, L.P. may construct, connect, operate, and maintain the pipeline and cross-border facilities described in the application filed on May 4, 2012, by TransCanada Corporation to the Department of State (including any subsequent revision to the pipeline route within the State of Nebraska required or authorized by the State of Nebraska).

(b) ENVIRONMENTAL IMPACT STATEMENT.—The Final Supplemental Environmental Impact Statement issued by the Secretary of State in January 2014, regarding the pipeline referred to in subsection (a), and the environmental analysis, consultation, and review described in that document (including appendices) shall be considered to fully satisfy—

(1) all requirements of the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.); and

(2) any other provision of law that requires Federal agency consultation or review (including the consultation or review required under section 7(a) of the Endangered Species Act of 1973 (16 U.S.C. 1536(a))) with respect to the pipeline and facilities referred to in subsection (a).

(c) PERMITS.—Any Federal permit or authorization issued before the date of enactment of this Act for the pipeline and cross-border facilities referred to in subsection (a) shall remain in effect.

(d) JUDICIAL REVIEW.—Except for review in the Supreme Court of the United States, the United States Court of Appeals for the District of Columbia Circuit shall have original and exclusive jurisdiction over any civil action for the review of an order or action of a Federal agency regarding the pipeline and cross-border facilities described in subsection (a), and the related facilities in the United States, that are approved by this Act (including any order granting a permit or right-of-way, or any other agency action taken to construct or complete the project pursuant to Federal law).

(e) PRIVATE PROPERTY SAVINGS CLAUSE.—Nothing in this Act alters any Federal, State, or local process or condition in effect on the date of enactment of this Act that is necessary to secure access from an owner of private property to construct the pipeline and cross-border facilities described in subsection (a).

(f) PRIVATE PROPERTY PROTECTION.—Land or an interest in land for the pipeline and cross-border facilities described in subsection (a) may only be acquired consistently with the Constitution.

SEC. 3. COORDINATION OF ENERGY RETROFITTING ASSISTANCE FOR SCHOOLS.

(a) DEFINITIONS.—In this section:

(1) SCHOOL.—The term "school" means—

(A) an elementary school or secondary school (as defined in section 9101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801));

(B) an institution of higher education (as defined in section 102(a) of the Higher Education Act of 1965 (20 U.S.C. 1002(a));

(C) a school of the defense dependents' education system under the Defense Dependents' Education Act of 1978 (20 U.S.C. 921 et seq.) or established under section 2164 of title 10, United States Code;

(D) a school operated by the Bureau of Indian Affairs;

(E) a tribally controlled school (as defined in section 5212 of the Tribally Controlled Schools Act of 1988 (25 U.S.C. 2511)); and

(F) a Tribal College or University (as defined in section 316(b) of the Higher Education Act of 1965 (20 U.S.C. 1059c(b))).

(2) SECRETARY.—The term "Secretary" means the Secretary of Energy.

(b) DESIGNATION OF LEAD AGENCY.—The Secretary, acting through the Office of Energy Efficiency and Renewable Energy, shall act as the lead Federal agency for coordinating and disseminating information on existing Federal programs and assistance that may be used to help initiate, develop, and finance energy efficiency, renewable energy, and energy retrofitting projects for schools.

(c) REQUIREMENTS.—In carrying out coordination and outreach under subsection (b), the Secretary shall—

(1) in consultation and coordination with the appropriate Federal agencies, carry out a review of existing programs and financing mechanisms (including revolving loan funds and loan guarantees) available in or from the Department of Agriculture, the Department of Energy, the Department of Education, the Department of the Treasury, the Internal Revenue Service, the Environmental Protection Agency, and other appropriate Federal agencies with jurisdiction over energy financing and facilitation that are currently used or may be used to help initiate, develop, and finance energy efficiency, renewable energy, and energy retrofitting projects for schools;

(2) establish a Federal cross-departmental collaborative coordination, education, and outreach effort to streamline communication and promote available Federal opportunities and assistance described in paragraph (1) for energy efficiency, renewable energy, and energy retrofitting projects that enables States, local educational agencies, and schools—

(A) to use existing Federal opportunities more effectively; and

(B) to form partnerships with Governors, State energy programs, local educational, financial, and energy officials, State and local government officials, nonprofit organizations, and other appropriate entities to support the initiation of the projects;

(3) provide technical assistance for States, local educational agencies, and schools to help develop and finance energy efficiency, renewable energy, and energy retrofitting projects—

(A) to increase the energy efficiency of buildings or facilities;

(B) to install systems that individually generate energy from renewable energy resources;

(C) to establish partnerships to leverage economies of scale and additional financing mechanisms available to larger clean energy initiatives; or

(D) to promote—

(i) the maintenance of health, environmental quality, and safety in schools, including the ambient air quality, through energy efficiency, renewable energy, and energy retrofit projects; and

(ii) the achievement of expected energy savings and renewable energy production through proper operations and maintenance practices;

(4) develop and maintain a single online resource website with contact information for relevant technical assistance and support staff in the Office of Energy Efficiency and Renewable Energy for States, local educational agencies, and schools to effectively access and use Federal opportunities and assistance described in paragraph (1) to develop energy efficiency, renewable energy, and energy retrofitting projects; and

(5) establish a process for recognition of schools that—

(A) have successfully implemented energy efficiency, renewable energy, and energy retrofitting projects; and

(B) are willing to serve as resources for other local educational agencies and schools to assist initiation of similar efforts.

(d) REPORT.—Not later than 180 days after the date of enactment of this Act, the Secretary shall submit to Congress a report describing the implementation of this section.

#### SEC. 4. CONSULTATION WITH INDIAN TRIBES.

Nothing in this Act relieves the United States of its responsibility to consult with Indian nations as required under executive order 13175 (67 Fed. Reg. 67249) (November 6, 2000).

#### SEC. 5. SENSE OF THE SENATE REGARDING CLIMATE CHANGE.

It is the sense of the Senate that climate change is real and not a hoax.

#### SEC. 6. SENSE OF SENATE REGARDING THE OIL SPILL LIABILITY TRUST FUND.

It is the sense of the Senate that—

(1) Congress should approve a bill to ensure that all forms of bitumen or synthetic crude oil derived from bitumen are subject to the per-barrel excise tax associated with the Oil Spill Liability Trust Fund established by section 9509 of the Internal Revenue Code of 1986;

(2) it is necessary for Congress to approve a bill described in paragraph (1) because the Internal Revenue Service determined in 2011 that certain forms of petroleum are not subject to the per-barrel excise tax;

(3) under article I, section 7, clause 1 of the Constitution, the Senate may not originate a bill to raise new revenue, and thus may not originate a bill to close the legitimate and unintended loophole described in paragraph (2);

(4) if the Senate attempts to originate a bill described in paragraph (1), it would provide a substantive basis for a “blue slip” from the House of Representatives, which would prevent advancement of the bill; and

(5) the House of Representatives, consistent with article I, section 7, clause 1 of the Constitution, should consider and refer to the Senate a bill to ensure that all forms of bitumen or synthetic crude oil derived from bitumen are subject to the per-barrel excise tax associated with the Oil Spill Liability Trust Fund established by section 9509 of the Internal Revenue Code of 1986.

### DIVISION B—ENERGY EFFICIENCY IMPROVEMENT

#### SECTION 1. SHORT TITLE.

This division may be cited as the “Energy Efficiency Improvement Act of 2015”.

#### TITLE I—BETTER BUILDINGS

#### SEC. 101. SHORT TITLE.

This title may be cited as the “Better Buildings Act of 2015”.

#### SEC. 102. ENERGY EFFICIENCY IN FEDERAL AND OTHER BUILDINGS.

(a) DEFINITIONS.—In this section:

(1) ADMINISTRATOR.—The term “Administrator” means the Administrator of General Services.

(2) COST-EFFECTIVE ENERGY EFFICIENCY MEASURE.—The term “cost-effective energy efficiency measure” means any building product, material, equipment, or service, and the installing, implementing, or operating thereof, that provides energy savings in an amount that is not less than the cost of such installing, implementing, or operating.

(3) COST-EFFECTIVE WATER EFFICIENCY MEASURE.—The term “cost-effective water efficiency measure” means any building product, material, equipment, or service, and the installing, implementing, or operating thereof, that provides water savings in an amount that is not less than the cost of such installing, implementing, or operating.

(b) MODEL PROVISIONS, POLICIES, AND BEST PRACTICES.—

(1) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the Administrator, in consultation with the Secretary of Energy and after providing the public with an opportunity for notice and comment, shall develop model commercial leasing provisions and best practices in accordance with this subsection.

(2) COMMERCIAL LEASING.—

(A) IN GENERAL.—The model commercial leasing provisions developed under this subsection shall, at a minimum, align the interests of building owners and tenants with regard to investments in cost-effective energy efficiency measures and cost-effective water efficiency measures to encourage building owners and tenants to collaborate to invest in such measures.

(B) USE OF MODEL PROVISIONS.—The Administrator may use the model commercial leasing provisions developed under this subsection in any standard leasing document that designates a Federal agency (or other client of the Administrator) as a landlord or tenant.

(C) PUBLICATION.—The Administrator shall periodically publish the model commercial leasing provisions developed under this subsection, along with explanatory materials, to encourage building owners and tenants in the private sector to use such provisions and materials.

(3) REALTY SERVICES.—The Administrator shall develop policies and practices to implement cost-effective energy efficiency measures and cost-effective water efficiency measures for the realty services provided by the Administrator to Federal agencies (or other clients of the Administrator), including periodic training of appropriate Federal employees and contractors on how to identify and evaluate those measures.

(4) STATE AND LOCAL ASSISTANCE.—The Administrator, in consultation with the Secretary of Energy, shall make available model commercial leasing provisions and best practices developed under this subsection to State, county, and municipal governments for use in managing owned and leased building space in accordance with the goal of encouraging investment in all cost-effective energy efficiency measures and cost-effective water efficiency measures.

#### SEC. 103. SEPARATE SPACES WITH HIGH-PERFORMANCE ENERGY EFFICIENCY MEASURES.

(a) IN GENERAL.—Subtitle B of title IV of the Energy Independence and Security Act of 2007 (42 U.S.C. 17081 et seq.) is amended by adding at the end the following:

#### “SEC. 424. SEPARATE SPACES WITH HIGH-PERFORMANCE ENERGY EFFICIENCY MEASURES.

“(a) DEFINITIONS.—In this section:

“(1) HIGH-PERFORMANCE ENERGY EFFICIENCY MEASURE.—The term ‘high-performance energy efficiency measure’ means a technology, product, or practice that will result in substantial operational cost savings by reducing energy consumption and utility costs.

“(2) SEPARATE SPACES.—The term ‘separate spaces’ means areas within a commercial building that are leased or otherwise occupied by a tenant or other occupant for a period of time pursuant to the terms of a written agreement.

“(b) STUDY.—

“(1) IN GENERAL.—Not later than 1 year after the date of enactment of this section, the Secretary, acting through the Assistant Secretary of Energy Efficiency and Renewable Energy, shall complete a study on the feasibility of—

“(A) significantly improving energy efficiency in commercial buildings through the design and construction, by owners and tenants, of separate spaces with high-performance energy efficiency measures; and

“(B) encouraging owners and tenants to implement high-performance energy efficiency measures in separate spaces.

“(2) SCOPE.—The study shall, at a minimum, include—

“(A) descriptions of—

“(i) high-performance energy efficiency measures that should be considered as part of the initial design and construction of separate spaces;

“(ii) processes that owners, tenants, architects, and engineers may replicate when designing and constructing separate spaces with high-performance energy efficiency measures;

“(iii) policies and best practices to achieve reductions in energy intensities for lighting, plug loads, heating, cooling, cooking, laundry, and other systems to satisfy the needs of the commercial building tenant;

“(iv) return on investment and payback analyses of the incremental cost and projected energy savings of the proposed set of high-performance energy efficiency measures, including consideration of available incentives;

“(v) models and simulation methods that predict the quantity of energy used by separate spaces with high-performance energy efficiency measures and that compare that predicted quantity to the quantity of energy used by separate spaces without high-performance energy efficiency measures but that otherwise comply with applicable building code requirements;

“(vi) measurement and verification platforms demonstrating actual energy use of high-performance energy efficiency measures installed in separate spaces, and whether such measures generate the savings intended in the initial design and construction of the separate spaces;

“(vii) best practices that encourage an integrated approach to designing and constructing separate spaces to perform at optimum energy efficiency in conjunction with the central systems of a commercial building; and

“(viii) any impact on employment resulting from the design and construction of separate spaces with high-performance energy efficiency measures; and

“(B) case studies reporting economic and energy savings returns in the design and construction of separate spaces with high-performance energy efficiency measures.

“(3) PUBLIC PARTICIPATION.—Not later than 90 days after the date of the enactment of this section, the Secretary shall publish a notice in the Federal Register requesting public comments regarding effective methods, measures, and practices for the design and construction of separate spaces with high-performance energy efficiency measures.

“(4) PUBLICATION.—The Secretary shall publish the study on the website of the Department of Energy.”.

(b) CLERICAL AMENDMENT.—The table of contents in section 1(b) of the Energy Independence and Security Act of 2007 is amended by inserting after the item relating to section 423 the following new item:

“Sec. 424. Separate spaces with high-performance energy efficiency measures.”.

**SEC. 104. TENANT STAR PROGRAM.**

(a) IN GENERAL.—Subtitle B of title IV of the Energy Independence and Security Act of 2007 (42 U.S.C. 17081 et seq.) (as amended by section 103) is amended by adding at the end the following:

**“SEC. 425. TENANT STAR PROGRAM.**

“(a) DEFINITIONS.—In this section:

“(1) HIGH-PERFORMANCE ENERGY EFFICIENCY MEASURE.—The term ‘high-performance energy efficiency measure’ has the meaning given the term in section 424.

“(2) SEPARATE SPACES.—The term ‘separate spaces’ has the meaning given the term in section 424.

“(b) TENANT STAR.—The Administrator of the Environmental Protection Agency, in consultation with the Secretary of Energy, shall develop a voluntary program within the Energy Star program established by section 324A of the Energy Policy and Conservation Act (42 U.S.C. 6294a), which may be known as ‘Tenant Star’, to promote energy efficiency in separate spaces leased by tenants or otherwise occupied within commercial buildings.

“(c) EXPANDING SURVEY DATA.—The Secretary of Energy, acting through the Administrator of the Energy Information Administration, shall—

“(1) collect, through each Commercial Buildings Energy Consumption Survey of the Energy Information Administration that is conducted after the date of enactment of this section, data on—

“(A) categories of building occupancy that are known to consume significant quantities of energy, such as occupancy by data centers, trading floors, and restaurants; and

“(B) other aspects of the property, building operation, or building occupancy determined by the Administrator of the Energy Information Administration, in consultation with the Administrator of the Environmental Protection Agency, to be relevant in lowering energy consumption;

“(2) with respect to the first Commercial Buildings Energy Consumption Survey conducted after the date of enactment of this section, to the extent full compliance with the requirements of paragraph (1) is not feasible, conduct activities to develop the capability to collect such data and begin to collect such data; and

“(3) make data collected under paragraphs (1) and (2) available to the public in aggregated form and provide such data, and any associated results, to the Administrator of the Environmental Protection Agency for use in accordance with subsection (d).

“(d) RECOGNITION OF OWNERS AND TENANTS.—

“(1) OCCUPANCY-BASED RECOGNITION.—Not later than 1 year after the date on which sufficient data is received pursuant to subsection (c), the Administrator of the Environmental Protection Agency shall, following an opportunity for public notice and comment—

“(A) in a manner similar to the Energy Star rating system for commercial buildings, develop policies and procedures to recognize tenants in commercial buildings that voluntarily achieve high levels of energy efficiency in separate spaces;

“(B) establish building occupancy categories eligible for Tenant Star recognition based on the data collected under subsection (c) and any other appropriate data sources; and

“(C) consider other forms of recognition for commercial building tenants or other occupants that lower energy consumption in separate spaces.

“(2) DESIGN- AND CONSTRUCTION-BASED RECOGNITION.—After the study required by section 424(b) is completed, the Administrator of the Environmental Protection Agency, in consultation with the Secretary and following an opportunity for public notice and comment, may develop a voluntary program to recognize commercial building owners and tenants that use high-performance energy efficiency measures in the design and construction of separate spaces.”.

(b) CLERICAL AMENDMENT.—The table of contents in section 1(b) of the Energy Independence and Security Act of 2007 is amended by inserting after the item relating to section 424 (as added by section 103(b)) the following new item:

“Sec. 425. Tenant Star program.”.

**TITLE II—GRID-ENABLED WATER HEATERS**

**SEC. 201. GRID-ENABLED WATER HEATERS.**

Part B of title III of the Energy Policy and Conservation Act is amended—

(1) in section 325(e) (42 U.S.C. 6295(e)), by adding at the end the following:

“(6) ADDITIONAL STANDARDS FOR GRID-ENABLED WATER HEATERS.—

“(A) DEFINITIONS.—In this paragraph:

“(i) ACTIVATION LOCK.—The term ‘activation lock’ means a control mechanism (either a physical device directly on the water heater or a control system integrated into the water heater) that is locked by default and contains a physical, software, or digital communication that must be activated with an activation key to enable the product to operate at its designed specifications and capabilities and without which activation the product will provide not greater than 50 percent of the rated first hour delivery of hot water certified by the manufacturer.

“(ii) GRID-ENABLED WATER HEATER.—The term ‘grid-enabled water heater’ means an electric resistance water heater that—

“(I) has a rated storage tank volume of more than 75 gallons;

“(II) is manufactured on or after April 16, 2015;

“(III) has—

“(aa) an energy factor of not less than 1.061 minus the product obtained by multiplying—

“(AA) the rated storage volume of the tank, expressed in gallons; and

“(BB) 0.00168; or

“(bb) an equivalent alternative standard prescribed by the Secretary and developed pursuant to paragraph (5)(E);

“(IV) is equipped at the point of manufacture with an activation lock; and

“(V) bears a permanent label applied by the manufacturer that—

“(aa) is made of material not adversely affected by water;

“(bb) is attached by means of non-water-soluble adhesive; and

“(cc) advises purchasers and end-users of the intended and appropriate use of the product with the following notice printed in 16.5 point Arial Narrow Bold font:

“IMPORTANT INFORMATION: This water heater is intended only for use as part of an electric thermal storage or demand response program. It will not provide adequate hot water unless enrolled in such a program and activated by your utility company or another program operator. Confirm the availability of a program in your local area before purchasing or installing this product.”.

“(B) REQUIREMENT.—The manufacturer or private labeler shall provide the activation key for a grid-enabled water heater only to a utility or other company that operates an electric thermal storage or demand response

program that uses such a grid-enabled water heater.

“(C) REPORTS.—

“(i) MANUFACTURERS.—The Secretary shall require each manufacturer of grid-enabled water heaters to report to the Secretary annually the quantity of grid-enabled water heaters that the manufacturer ships each year.

“(ii) OPERATORS.—The Secretary shall require utilities and other demand response and thermal storage program operators to report annually the quantity of grid-enabled water heaters activated for their programs using forms of the Energy Information Agency or using such other mechanism that the Secretary determines appropriate after an opportunity for notice and comment.

“(iii) CONFIDENTIALITY REQUIREMENTS.—The Secretary shall treat shipment data reported by manufacturers as confidential business information.

“(D) PUBLICATION OF INFORMATION.—

“(i) IN GENERAL.—In 2017 and 2019, the Secretary shall publish an analysis of the data collected under subparagraph (C) to assess the extent to which shipped products are put into use in demand response and thermal storage programs.

“(ii) PREVENTION OF PRODUCT DIVERSION.—If the Secretary determines that sales of grid-enabled water heaters exceed by 15 percent or greater the quantity of such products activated for use in demand response and thermal storage programs annually, the Secretary shall, after opportunity for notice and comment, establish procedures to prevent product diversion for non-program purposes.

“(E) COMPLIANCE.—

“(i) IN GENERAL.—Subparagraphs (A) through (D) shall remain in effect until the Secretary determines under this section that—

“(I) grid-enabled water heaters do not require a separate efficiency requirement; or

“(II) sales of grid-enabled water heaters exceed by 15 percent or greater the quantity of such products activated for use in demand response and thermal storage programs annually and procedures to prevent product diversion for non-program purposes would not be adequate to prevent such product diversion.

“(ii) EFFECTIVE DATE.—If the Secretary exercises the authority described in clause (i) or amends the efficiency requirement for grid-enabled water heaters, that action will take effect on the date described in subsection (m)(4)(A)(ii).

“(iii) CONSIDERATION.—In carrying out this section with respect to electric water heaters, the Secretary shall consider the impact on thermal storage and demand response programs, including any impact on energy savings, electric bills, peak load reduction, electric reliability, integration of renewable resources, and the environment.

“(iv) REQUIREMENTS.—In carrying out this paragraph, the Secretary shall require that grid-enabled water heaters be equipped with communication capability to enable the grid-enabled water heaters to participate in ancillary services programs if the Secretary determines that the technology is available, practical, and cost-effective.”.

(2) in section 332(a) (42 U.S.C. 6302(a))—

(A) in paragraph (5), by striking “or” at the end;

(B) in the first paragraph (6), by striking the period at the end and inserting a semicolon;

(C) by redesignating the second paragraph (6) as paragraph (7);

(D) in subparagraph (B) of paragraph (7) (as so redesignated), by striking the period at the end and inserting “; or”;

(E) by adding at the end the following:

“(8) for any person—

“(A) to activate an activation lock for a grid-enabled water heater with knowledge that such water heater is not used as part of an electric thermal storage or demand response program;

“(B) to distribute an activation key for a grid-enabled water heater with knowledge that such activation key will be used to activate a grid-enabled water heater that is not used as part of an electric thermal storage or demand response program;

“(C) to otherwise enable a grid-enabled water heater to operate at its designed specification and capabilities with knowledge that such water heater is not used as part of an electric thermal storage or demand response program; or

“(D) to knowingly remove or render illegible the label of a grid-enabled water heater described in section 325(e)(6)(A)(ii)(V).”;

(3) in section 333(a) (42 U.S.C. 6303(a))—

(A) by striking “section 332(a)(5)” and inserting “paragraph (5), (6), (7), or (8) of section 332(a)”;

(B) by striking “paragraph (1), (2), or (5) of section 332(a)” and inserting “paragraph (1), (2), (5), (6), (7), or (8) of section 332(a)”;

(4) in section 334 (42 U.S.C. 6304)—

(A) by striking “section 332(a)(5)” and inserting “paragraph (5), (6), (7), or (8) of section 332(a)”;

(B) by striking “section 332(a)(6)” and inserting “section 332(a)(7)”.

### TITLE III—ENERGY INFORMATION FOR COMMERCIAL BUILDINGS

#### SEC. 301. ENERGY INFORMATION FOR COMMERCIAL BUILDINGS.

(a) REQUIREMENT OF BENCHMARKING AND DISCLOSURE FOR LEASING BUILDINGS WITHOUT ENERGY STAR LABELS.—Section 435(b)(2) of the Energy Independence and Security Act of 2007 (42 U.S.C. 17091(b)(2)) is amended—

(1) by striking “paragraph (2)” and inserting “paragraph (1)”;

(2) by striking “signing the contract,” and all that follows through the period at the end and inserting the following:

“signing the contract, the following requirements are met:

“(A) The space is renovated for all energy efficiency and conservation improvements that would be cost effective over the life of the lease, including improvements in lighting, windows, and heating, ventilation, and air conditioning systems.

“(B)(i) Subject to clause (ii), the space is benchmarked under a nationally recognized, online, free benchmarking program, with public disclosure, unless the space is a space for which owners cannot access whole building utility consumption data, including spaces—

“(I) that are located in States with privacy laws that provide that utilities shall not provide such aggregated information to multitenant building owners; and

“(II) for which tenants do not provide energy consumption information to the commercial building owner in response to a request from the building owner.

“(ii) A Federal agency that is a tenant of the space shall provide to the building owner, or authorize the owner to obtain from the utility, the energy consumption information of the space for the benchmarking and disclosure required by this subparagraph.”.

(b) STUDY.—

(1) IN GENERAL.—Not later than 2 years after the date of enactment of this Act, the Secretary of Energy, in collaboration with the Administrator of the Environmental Protection Agency, shall complete a study—

(A) on the impact of—

(i) State and local performance benchmarking and disclosure policies, and any associated building efficiency policies,

for commercial and multifamily buildings; and

(ii) programs and systems in which utilities provide aggregated information regarding whole building energy consumption and usage information to owners of multitenant commercial, residential, and mixed-use buildings;

(B) that identifies best practice policy approaches studied under subparagraph (A) that have resulted in the greatest improvements in building energy efficiency; and

(C) that considers—

(i) compliance rates and the benefits and costs of the policies and programs on building owners, utilities, tenants, and other parties;

(ii) utility practices, programs, and systems that provide aggregated energy consumption information to multitenant building owners, and the impact of public utility commissions and State privacy laws on those practices, programs, and systems;

(iii) exceptions to compliance in existing laws where building owners are not able to gather or access whole building energy information from tenants or utilities;

(iv) the treatment of buildings with—

(I) multiple uses;

(II) uses for which baseline information is not available; and

(III) uses that require high levels of energy intensities, such as data centers, trading floors, and television studios;

(v) implementation practices, including disclosure methods and phase-in of compliance;

(vi) the safety and security of benchmarking tools offered by government agencies, and the resiliency of those tools against cyber attacks; and

(vii) international experiences with regard to building benchmarking and disclosure laws and data aggregation for multitenant buildings.

(2) SUBMISSION TO CONGRESS.—At the conclusion of the study, the Secretary shall submit to the Committee on Energy and Commerce of the House of Representatives and Committee on Energy and Natural Resources of the Senate a report on the results of the study.

(c) CREATION AND MAINTENANCE OF DATABASE.—

(1) IN GENERAL.—Not later than 18 months after the date of enactment of this Act and following opportunity for public notice and comment, the Secretary of Energy, in coordination with other relevant agencies, shall maintain, and if necessary create, a database for the purpose of storing and making available public energy-related information on commercial and multifamily buildings, including—

(A) data provided under Federal, State, local, and other laws or programs regarding building benchmarking and energy information disclosure;

(B) information on buildings that have disclosed energy ratings and certifications; and

(C) energy-related information on buildings provided voluntarily by the owners of the buildings, only in an anonymous form unless the owner provides otherwise.

(2) COMPLEMENTARY PROGRAMS.—The database maintained pursuant to paragraph (1) shall complement and not duplicate the functions of the Environmental Protection Agency's Energy Star Portfolio Manager tool.

(d) INPUT FROM STAKEHOLDERS.—The Secretary of Energy shall seek input from stakeholders to maximize the effectiveness of the actions taken under this section.

(e) REPORT.—Not later than 2 years after the date of enactment of this Act, and every 2 years thereafter, the Secretary of Energy shall submit to the Committee on Energy

and Commerce of the House of Representatives and Committee on Energy and Natural Resources of the Senate a report on the progress made in complying with this section.

The SPEAKER pro tempore. The bill shall be debatable for 1 hour, equally divided among and controlled by the chair and ranking minority member of the Committee on Energy and Commerce and the chair and ranking minority member of the Committee on Transportation and Infrastructure.

The gentleman from Michigan (Mr. UPTON), the gentleman from New Jersey (Mr. PALLONE), the gentleman from Pennsylvania (Mr. SHUSTER), and the gentleman from Oregon (Mr. DEFAZIO) each will control 15 minutes.

The Chair recognizes the gentleman from Pennsylvania (Mr. SHUSTER).

Mr. SHUSTER. Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, I rise today in support of S. 1, the Keystone XL Pipeline Approval Act. S. 1 passed the Senate by a bipartisan vote of 62–36. This bill is based on H.R. 3 which, last month, the House passed by a bipartisan vote of 266–153. S. 1 does not change any of the House provisions regarding the Keystone pipeline.

Here we are again on the floor with a bill that has been approved on a bipartisan basis three times in the last 4 months. It is time for the President to approve the Keystone pipeline.

His own administration has found the pipeline would have minimal impact on the environment. Congress has shown that there is Republican and Democrat support for the pipeline. The last remaining excuse for delay—pending litigation in Nebraska—has been resolved. I hope the President reconsiders his veto threat on this bill.

I think he should sign this bill because we all agree we need to invest in our Nation's infrastructure, and pipelines are critical to the economy. America's pipeline network is immense—2.6 million miles of pipe transporting natural gas, oil, and other hazardous materials.

Pipelines transport more energy product than any other mode of transportation in this country. Keystone will be a critical addition to the pipeline network, increasing our Nation's supply of oil and enhancing our energy independence.

This project will create good-paying American jobs. As the President has stated, “First-class infrastructure attracts first-class jobs.” Indeed, six unions representing over 3 million workers support this project, including the United Association of Plumbers and Pipefitters, the International Union of Operating Engineers, the Laborers' International Union of North America, the International Brotherhood of Electrical Workers, the building and construction trade, and the Teamsters.

It is simply time to move forward on this project, so I urge all my colleagues

on both sides of the aisle to vote for S. 1, and I urge the President to sign this bill and allow infrastructure to be built in this country.

With that, Madam Speaker, I reserve the balance of my time.

Mr. DEFAZIO. Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, for anyone watching this debate for the 11th time who isn't familiar with the substantive reasons to oppose this legislation, I would refer them to my earlier remarks numerous times on the floor of the House because, in the interest of time, I am not going to repeat them.

I am going to say that I am pleased that this is actually a big step forward for the other side of the aisle in the House because there are two critical changes that the Senate made which go to a raging debate on the Republican side of the aisle here in the House, and that is whether or not climate change is real or a hoax.

By voting for this bill today, you are going to endorse language saying that climate change is real and not a hoax. I think that is tremendous progress for the Republican side of the aisle, who I expect will be supporting this bill to accept the reality of climate change. I am thrilled that that is in there, and their votes will be reflected in the RECORD as endorsing that language.

Secondly, Madam Speaker, one of the other substantive issues we have raised numerous times is that this foreign corporation will not—because of a bizarre ruling by the Internal Revenue Service—will not be paying into the trust fund which goes to mitigate pipeline spills, breaks, and cleanups: the oil spill liability trust fund.

We have offered that as a motion to recommit numerous times here on the floor, thinking it would be a reasonable thing to level the playing field between U.S. producers shipping oil and a Canadian company shipping oil which is going to be exported from the United States perhaps after it is refined.

Again, this will be a shift on the Republican side of the aisle because you will be voting for language that says, "Congress should approve a bill to ensure that all forms of bitumen or synthetic crude oil derived from bitumen are subject to the per-barrel excise tax associated with the oil spill liability trust fund," which would be I think the first time the Republican side has endorsed any sort—well, no, there was a tax increase for inland waterways users buried in that bill in December—but this will be only the second time that Republicans here have voted to increase a tax.

I am really thrilled to see that and the fact that we will be righting that inequity, and essentially, the Republicans will be endorsing something that we have offered numerous times on the floor.

The third thing—which really isn't an improvement—is some Senators stuck in language saying that when

this foreign corporation takes American citizens' private property against their will, they have to follow the Constitution.

Well, unfortunately, because of the Kelo decision—which we did try a number of years ago to clarify and overturn—the Supreme Court, in its wisdom, has ruled that you can yield the right, for economic development purposes, to a private entity to take peoples' private property.

We are going one step—or you are going one step further here by actually giving that authority to a foreign corporation. As far as I know, this is the first time in the history of the United States of America that a foreign corporation will have the right to take private property from an American citizen against their will. That isn't an improvement, just saying "follow the Constitution," because of the ruling by the Supreme Court.

But the other two are great. Climate change exists. You are endorsing that implicitly by voting for this bill. We should increase taxes and impose taxes on this tar sands oil.

Again, I think this is a big breakthrough for the other side. I still won't be voting for the bill. I stand on the previous concerns I have raised. Those are all still extant, but these things will be worthy of noticing.

With that, Madam Speaker, I ask unanimous consent that the gentleman from New Jersey (Mr. PALLONE) be allowed to control the balance of my time in addition to the time controlled by the Committee on Energy and Commerce.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Oregon?

There was no objection.

Mr. SHUSTER. Madam Speaker, I yield 2 minutes to the gentleman from California (Mr. DENHAM), the chairman of the Subcommittee on Railroads, Pipelines, and Hazardous Materials.

□ 1530

Mr. DENHAM. Madam Speaker, I rise in support of S. 1, the Keystone XL Pipeline Approval Act, which passed bipartisan not only in the House with 266 votes, but also bipartisan in the Senate with 62 votes. As Chairman SHUSTER noted, this is a jobs bill that will create jobs, enhance our energy independence, and strengthen our national economy.

This pipeline will transport over 800,000 barrels of oil per day. That is according to the Department of Energy. It will also help create good paying jobs, over 40,000 jobs, according to the State Department.

We held a hearing in our subcommittee last week regarding the need for more transportation infrastructure for energy projects. One witness testified we will need 12,000 to 15,000 miles of new pipeline over the next 5 to 10 years. Keystone XL is just one of those new projects.

This is the most studied pipeline in our history. This is no reason to con-

tinue to stall this project. This is a safe project. America has 2.6 million miles of pipeline, providing an extremely safe way to transport energy products. The Keystone pipeline will be built the safest pipeline ever with 95 special mitigation measures, including nearly 60 recommended by the Department of Transportation, the most extensively studied and vetted pipeline project in the history of our country.

Finally, as amended in the Senate, this bill will make important strides towards greater energy efficiency. In conclusion, the Keystone XL has been under review for over 6 years and debated and voted on in the House and Senate numerous times. We need these jobs. We need this energy. We need it now.

Mr. PALLONE. Madam Speaker, I yield myself such time as I may consume.

Today we are voting once again to grant special treatment to TransCanada's Keystone tar sands pipeline. It is the 11th time we are voting on a special deal for the Canadian company's pipeline since Republicans took control of the House of Representatives. This Congress has much work to do on energy. Our situation is changing rapidly, and each energy-related decision we make can have long-term consequences for our environment, our economy, and our national security. But the President has made clear that he will veto this legislation, so we should stop wasting our time on it.

The Senate added many provisions to this version of the Keystone bill. Some of the provisions on energy efficiency are provisions that I and many of my colleagues can support and have supported in the past, but those provisions should be considered separately, preferably as stand-alone bills in the House and Senate. They should not be held hostage by another doomed Keystone approval bill, and they in no way come close to offsetting the harm that would be caused by Congress deeming Keystone pipeline approved.

We don't need this Canadian tar sands oil. Worldwide crude oil prices are at their lowest level in 5 years, and gasoline prices are down, too. Domestic oil production is up. Last week EPA noted that low oil prices means approval of the Keystone pipeline could be a critical factor in the economic viability of Canadian tar sands expansion. And tar sands are among the dirtiest and carbon intensive of all fossil fuels. The Keystone pipeline will create a dependence on tar sands crude, reversing the carbon pollution reductions that we need.

This pipeline is a terrible deal for America. We get all of the risks while the oil companies reap the rewards. If this pipeline spills, like Enbridge pipeline in Michigan, the heavy tar sands that flow onto the ground and into our waters, our groundwater and our surface water, will be even harder to clean up than regular oil.

Unfortunately, if there is such a spill, it will be cleaned up at U.S. taxpayer expense and the polluter won't have to pay. Why is that? Because tar sands are not considered crude oil for purposes of contributing to the oil spill liability trust fund. We have repeatedly pointed out this egregious and unjustified loophole to the majority, and we have repeatedly received assurances that it will be addressed—yet it has still not been addressed. In fact, three times in this Chamber alone, we have offered amendments to solve this problem, but the Republican majority voted each one of them down.

Now there is this new “sense of the Senate” language that was put into the bill by the Senate that promises further action on this issue, but it is no substitute for real legislation to protect the American taxpayer from the financial consequences of a tar sands spill. Make no mistake, this language, this sense of Congress or sense of the Senate, does nothing to change the equation and end the tar sands oil subsidy.

Recently, the President stood in this Chamber and noted that 21st century businesses need 21st century infrastructure. He said that we should “set our sights higher than a single oil pipeline.” Yet here we are again voting on that single oil pipeline.

It is my hope that we are nearing the end of this long cycle of futile votes to grant special treatment to this single pipeline; and it is my hope that sooner rather than later we can get back to trying to find agreement on a moderate energy policy, one that is sustainable, one that helps the U.S. economy, and one that moves us forward, not backward, in the fight against climate change. In the meantime, I urge my colleagues once again to vote “no” on this bill.

I reserve the balance of my time.

Mr. SHUSTER. Madam Speaker, I yield 1 minute to the gentlewoman from California (Mrs. MIMI WALTERS).

Mrs. MIMI WALTERS. Madam Speaker, it was 2008 when TransCanada first submitted an application to construct the Keystone XL pipeline. Six years later, the Keystone pipeline is still awaiting approval.

What does construction of the Keystone pipeline mean for our Nation? Over 40,000 jobs, energy security, and increased economic growth. Furthermore, the State Department found that construction of the Keystone pipeline would pose little environmental risk. In fact, there would be greater environmental and safety risks from not building the pipeline.

Despite the obvious benefits and bipartisan support, the President has continued to block Keystone's approval. Now he threatens to veto the bill, effectively killing the entire Keystone program. After 6-plus years, the President has run out of excuses. It is clear that the construction of the Keystone pipeline is in our Nation's best interests, and we cannot afford to delay any longer.

Mr. PALLONE. Madam Speaker, I yield myself such time as I may consume.

I wanted to reference again this provision in the bill that the Senate put in. The Senate bill contains a provision boldly stating that “climate change is real and not a hoax.” I couldn't agree more with that, Madam Speaker, but let's be clear: the Senate Republican majority in the same breath rejected another amendment stating that climate change is caused by human activity.

Senators who voted against those amendments are out of step with the American people, including many Republicans. In a recent poll, an overwhelming majority of Americans, including almost half of Republicans, stated support for government action to fight climate change and disagreed with those who question that climate change is caused by human activity.

Many of my colleagues on the other side of the aisle have become fond of saying that they are not scientists, and I think that we can generally agree that is true. But even though they admit they are not scientists, it doesn't stop them from questioning the science. Now, I am not a scientist either, but when actual scientists speak and say there is an overwhelming body of evidence that man-made climate change is real and happening now, I listen to the actual scientists. And saying that you are not a scientist is, in my opinion, just a way of dodging the facts.

I have to say, Madam Speaker, when I go home to New Jersey, and my district was probably more impacted by Superstorm Sandy than any other district, I don't see any disagreement between Democrats and Republicans in my district. It doesn't matter whether they are State legislators or county legislators or mayors or on the council. And I have almost as many Republican mayors and councilmen and councilwomen as I do Democrats, but all of them agree that climate change is real and caused by human activity because they are listening to the scientists and they understand that science is important and that we should pay attention to it.

In any event, the “sense of the Senate” language affirming that climate change is not a hoax does not fix any of the problems with the bill before us, and its inclusion doesn't mean that voting “yes” today will help us in the fight against climate change. In fact, voting “yes” today will move us backward in that fight because one of the major concerns that I have and opponents have of Keystone is because it will exploit tar sands, it will actually increase greenhouse gas significantly. And it is very possible that, without the pipeline, those tar sands will simply not be developed or exploited.

I reserve the balance of my time.

Mr. SHUSTER. Madam Speaker, I yield 1 minute to the gentleman from Michigan (Mr. MOOLENAAR).

Mr. MOOLENAAR. Madam Speaker, it is time to build the Keystone pipeline. Building Keystone will create jobs, expand economic opportunity, and provide our country with energy from a reliable trading partner. It is estimated that the pipeline will carry more than 30 million gallons of oil per day, and the State Department has concluded the pipeline is the safest way to transport it to market. Keystone will support job creation by moving oil to American refineries where American workers will process it. Thousands of products using refined oil are manufactured and purchased by Americans every day, and this pipeline has the potential to make those products less expensive.

The House has passed Keystone policy time and again. Ten times, in fact, the House has stood with American workers and consumers. Today, we stand with hardworking Americans looking for good-paying jobs. Today, we stand with American consumers who will see more of their hard-earned money go further at the gas pump.

Keystone helps secure our country's energy independence, lowers energy costs for every American, and supports jobs without raising taxes or adding to our debt.

It is time to pass this bill. I urge my colleagues to vote “yes.”

Mr. PALLONE. Madam Speaker, I yield myself such time as I may consume.

Again, I want to make this point about the impact of low oil prices on Keystone and on exploitation of tar sands. The price of oil has dropped precipitously in the past few months and is expected to stay in the \$65 to \$75 per barrel range for the foreseeable future. Just last month, the price of oil actually dipped below \$50 per barrel, and gas prices have fallen below \$2 per gallon in some areas. Obviously, this is good news for the American consumer but bad news for tar sands producers who are struggling to remain profitable in the face of rising production costs and limited transportation options.

In a scenario where tar sands are less profitable due to low oil prices and transportation constraints, the State Department concluded that the construction of Keystone will play a pivotal role in future tar sands development and increased carbon pollution that comes from it. So just last week, EPA made clear that low oil prices mean that the pipeline's impact on future tar sands production could be substantial, with significant implications for climate change.

Now, when I was at Rules, some of my colleagues on the Republican side said: Well, if you don't build the pipeline, this tar sands oil is going to be transported by rail or by some other means, and so what is the difference if we build Keystone?

Well, the bottom line is that it is very likely that, with low oil prices, there wouldn't be the investment in tar

sands. If tar sands had to be transported by means other than the pipeline, investment would not be there. Therefore, the argument is made, obviously, that without Keystone, you might not be exploiting these tar sands and you wouldn't increase the greenhouse gases and force the major change in climate that would result from it.

So again, the point that the EPA is making that with low oil prices, a decision to approve the pipeline could be a significant factor in increased tar sands production and increased greenhouse gas emissions, and the President and the Congress need to look at this development carefully and assess its impact.

One of the reasons—and there are others, like the impact of the pipeline if there was a spill on groundwater and other things. This is one of the reasons why the President has said that the decision of whether this is in the national interest still has to be weighed, and it shouldn't be dictated to by Congress and just deemed approved because the Canadian company or others think this is appropriate. This is something that the President needs to continue to review, as he has said. That is why he is vetoing the bill. And that is, again, Madam Speaker, why we are wasting our time today.

I reserve the balance of my time.

Mr. SHUSTER. Madam Speaker, it is my pleasure to yield such time as he may consume to the gentleman from West Virginia (Mr. MOONEY).

Mr. MOONEY of West Virginia. Madam Speaker, on a variety of issues, from the Environmental Protection Agency's war on coal jobs in West Virginia to the designation of ANWR in Alaska as permanent wilderness, the President has used unilateral executive action to stifle domestic energy production. It is time for the President to stop pandering to radical environmentalists and do what is right for hardworking American families.

□ 1545

The business community, organized labor, partisan majorities in Congress, and a clear majority of the American people support construction of the Keystone XL pipeline.

The President's own State Department concluded that the project is in the best economic interest of our Nation and that the project would have no impact on carbon emissions and no negative impact on the environment.

Mr. President, enough is enough. It is time to create 42,000 jobs and reduce energy prices for hardworking families. Sign this bill into law. It is time to build the Keystone XL pipeline. I ask that you do this not only for the hardworking taxpayers I represent in West Virginia but for all Americans struggling in this economy.

Mr. PALLONE. Madam Speaker, I, again, yield myself such time as I may consume.

Again, I listened to the previous speaker on the Republican side and I

don't understand how he can say that the President is trying to prevent domestic production. Domestic oil production is at a 29-year high. Whether it is oil or it is natural gas, we have never seen production of this magnitude.

Under this administration, there has been such an increase in both oil and natural gas production in comparison to any previous administration for as long as I have been here. To suggest otherwise boggles the mind, in my opinion.

I wanted to go back to another issue that we are concerned about in terms of the environment and why Keystone needs to continue to be reviewed by the President and not just be deemed approved, and that has to do, again, with oil spills and the impact on aquifers.

Again, our first priority, Madam Speaker, must be to ensure public safety. The proposed Keystone pipeline is a massive project that would carry tar sand sludge throughout the middle of America. Even supporters agree that it should not be built until we have some assurance that it will be safe.

Keystone poses real risks. Over the last few years, a litany of tragic failures have reinforced the need for strong pipeline safety standards.

In 2011, another ExxonMobil pipeline ruptured in Montana, spilling crude oil into the Yellowstone River. The oil was carried hundreds of miles down the river, threatening the livelihoods of ranchers.

In July 2010, a pipeline carrying tar sands oil ruptured near Marshall, Michigan. Over 800,000 gallons of oil spilled into the Talmadge Creek and then flowed into the Kalamazoo River. The cleanup will cost hundreds of millions of dollars. Because the diluted bitumen is heavier than water and sinks to the bottom of the river, it has proven harder to clean up than conventional crude oil.

TransCanada and its supporters have repeatedly assured the public and the Congress that we shouldn't worry about this pipeline carrying tar sand sludge through the middle of America and across the Ogallala Aquifer. They say it will be an ultra-safe state-of-the-art pipeline.

The problem, though, is that we have heard this before. TransCanada's first Keystone pipeline, which brings Canadian tar sands oil to refineries in Illinois and Oklahoma, shouldn't inspire confidence. This was a brand-new, supposedly state-of-the-art pipeline. It was predicted to spill no more than once every 7 years. But in its first year of operation, it reported 14 separate oil spills.

The largest spill occurred on May 7, 2011, when approximately 20,000 gallons of oil erupted from the pipeline in North Dakota. There was literally a 64-high geyser of oil. Amazingly, this spill was not detected by TransCanada but was reported by a local farmer.

In response to this spill and others, the pipeline safety agency issued a corrective action order temporarily shut-

ting down the original Keystone pipeline. The agency based this action on a finding that the continued operation of the pipeline without corrective action would be hazardous to life, property, and the environment.

With this track record, we need a thorough review of whether the standards necessary to safely transport tar sands oil are in place. The proposed route of this tar sands pipeline would cross the Ogallala Aquifer.

Millions of Americans depend on this aquifer for their drinking water and for their livelihoods. If there is an oil spill, the consequences would be devastating to the Americans who depend on this precious water resource.

Again, this is another reason why we shouldn't be approving this and deem this pipeline approved.

I reserve the balance of my time.

Mr. SHUSTER. Madam Speaker, it is now my pleasure to yield 1 minute to the gentleman from Louisiana (Mr. GRAVES).

Mr. GRAVES of Louisiana. Madam Speaker, I want to thank my soon-to-be-friend from New Jersey for bringing up the oil spill issue.

In my home State of Louisiana, we actually have hundreds of thousands of barrels of oil that are unaccounted for as a result of the Deepwater Horizon oil spill. We have tens of miles of shoreline that remain oiled as a result of an oil spill that happened over 4 years ago, and this administration is doing absolutely nothing to hold the responsible parties accountable for removing that oil.

To hide behind some of these issues, such as the threat of oil spills, is absolutely absurd when at the same time they are not doing anything to protect the environment and hold responsible parties accountable.

Secondly, there is nothing that this pipeline project is going to do to further threaten the environment. In fact, it is going to make it worse if we don't build it because the oil will be transported by barge, by rail, and other less safe means of transportation.

We saw recently where the EPA released a letter contrary to what the State Department's EIS found, stating that this was going to cause a greater impact to climate change. Whatever the reality is, this pipeline does nothing to address consumption of oil. It does nothing to increase consumption. It is an absurd approach.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. SHUSTER. I yield an additional 1 minute to the gentleman.

Mr. GRAVES of Louisiana. And lastly, Madam Speaker, I will just say that this President for years has embraced an all-of-the-above energy strategy, all-of-the-above. This pipeline fits that criteria—it is all of the above. Perhaps I misunderstood and they were talking geographically above. It is coming from Canada. It fits that one too.

Madam Speaker, this project needs to move forward. It has been delayed far

too long. All it is going to do by not building this project is cause us to rely upon Venezuela and other non-allies for energy to power this Nation's economy.

Mr. PALLONE. Madam Speaker, I yield such time as he may consume to the gentleman from Illinois (Mr. RUSH), the ranking member of the Energy and Power Subcommittee.

Mr. RUSH. Madam Speaker, this is *deja vu* all over again, as for the umpteenth time the majority party is trying to jam the Keystone XL pipeline through this Congress despite the fact that President Obama has made it pretty clear to all who will listen that this bill is headed to a veto if it ever reaches his desk.

Madam Speaker, instead of going through regular order and the committee process and working on bipartisan legislation that would ultimately create hundreds of thousands of good-paying American jobs, such as building up our infrastructure, fixing our roads and bridges, and modernizing our energy grid, instead of looking at the interests, the real interests of the American people, and working to provide the American people much-needed jobs, my friends on the other side of the aisle have repeatedly spent valuable time, time that this Congress will never, ever see again, trying to grant a regulatory earmark to the TransCanada Corporation by short-circuiting the normal permitting process and forcing President Obama's hand.

This is not a jobs bill. Madam Speaker, we need a jobs bill. But where are the jobs in this bill? Every time we talk about jobs, every time jobs develop on the floor of this House, the Republicans all run to one place: that all we need is to build the Keystone XL pipeline and that will solve America's job problem. I beg to differ with my friends on the other side of the aisle.

The State Department—our State Department—consulted with TransCanada and found out that the construction of this pipeline would directly result in about 4,000 jobs in the early stages just to build the pipeline. These jobs, Madam Speaker, will last no more than 12 months—365 days of work provided to the American people. What kind of jobs bill are we trying to perpetrate on the American people?

In addition, Madam Speaker, by building the pipeline, 42,100 1-year jobs will be created indirectly across the United States.

After the Keystone XL pipeline is completed, operation, where the permanent jobs are, the real operation where the lasting jobs are, the jobs that will provide a future for American families—college education, mortgages to pay for their home, put dinner on the table—these jobs would only amount to about 35 permanent jobs in this Nation—35. A franchise burger joint on the corner will provide more permanent jobs than this whole Keystone XL pipeline is purported to do.

Let's put these figures into perspective.

In 2014, the U.S. economy created nearly 50,000 jobs per week—50,000 per week in 2014; 230,000 jobs per month. So even taking the most favorable estimates for all the indirect and direct jobs, the Keystone XL pipeline will produce fewer jobs than the economy is already creating on its own in just 7 days—in just one week.

Taking the lowest estimate for the 35 permanent jobs again, the Keystone XL pipeline will produce even fewer jobs, in all of its massiveness, in all of the hyperbole that comes from the other side, than the economy is already creating in just 1 hour. In the next hour, Mr. Speaker, the American economy will produce more jobs than the entire Keystone XL pipeline in all of its duration—in just the next hour.

This is not a jobs bill. Where are the priorities for the other side? Why are we wasting time on this?

Let me remind my friends on the other side, in just 2 weeks—just 2 weeks—the Homeland Security Department will run out of money, putting all of the American people, our entire Nation, at risk, in just 2 weeks.

Where are your priorities? Doesn't that make more sense than wasting our time on creating 35 jobs—35 permanent jobs? We are going to be out of this place at the end of the week. Where is the priority for American security? Where is the priority for us to spend our time? What are the priorities of the majority if we are going to waste our time?

Here we go again, valuable time. Homeland Security running out of money, folks being laid off, our borders are being compromised, terrorists are going to have or could have a field day because we have not funded Homeland Security.

□ 1600

Yet we are here, wasting valuable time. Let's use this time to fund the Department of Homeland Security, and let's get off some of this nonsense that makes no sense at all.

I cannot believe, Mr. Speaker, that the American people have sent us here to work on behalf of TransCanada and to ignore the Department of Homeland Security. I can't in my wildest imagination believe that they didn't even know, that they didn't even imagine, that they didn't even think that we are here with the Department of Homeland Security on one side and the Keystone XL on the other side. Go figure. Where are their priorities?

Mr. Speaker, this bill is unnecessary. This bill will be vetoed by President Obama, and it will be sent back here DOA. We have far more important work that we should be doing on behalf of the American people.

I urge all of my colleagues to turn down this unnecessary, ill-timed, ill-conceived notion that we should be spending our valuable time on the Keystone XL and ignoring the funding for the Department of Homeland Security.

Mr. SHUSTER. Mr. Speaker, I would like to remind my friend from Chicago

that all infrastructure jobs are temporary. Based on that argument, we shouldn't build roads, bridges, highways, or pipelines. All infrastructure jobs—construction jobs—are temporary. Second, I would like to remind my colleague that he voted against the appropriations bill to fund Homeland Security.

With that, I yield 2 minutes to the gentleman from Texas (Mr. WEBER).

Mr. WEBER of Texas. I thank the gentleman.

Mr. Speaker, I rise today in support of the Keystone XL Pipeline Approval Act.

It comes into my district, by the way. It comes into my district on the gulf coast of Texas. Over 6 years has passed since the permit was applied for. The iPad was not even introduced at that time. That is how long it has been. In contrast, this Congress is acting in less than 2 months to approve the most studied pipeline in the Nation's history. The President is creating jobs all right. It is called studying pipelines so you can deny the permit.

The State Department has concluded that this pipeline will be safe and environmentally sound. Indeed, that was the first amendment I got passed on the floor of this House in Lee Terry's bill—the State Department's own language.

The pipeline strengthens our relationship with an important ally, and it creates thousands of jobs for the American people.

The other side is saying some funny things:

They say that drilling and oil production is at a 29-year high. Great. Let's continue this process. Let's make it better. Let's make it longer. I didn't even think about that. You are right. Energy independence is right around the corner. You are onto something here, so let's continue that;

The other side says there is danger from oil spills. The truth is that the pipeline industry has a 99 percent safety rating. You cannot say that about trucking. You cannot say that about rail. You cannot say that about barge;

They say this is the umpteenth time the Republicans have passed this bill. On November 4, as I recall, the Americans elected some umpteen new Republicans. I think they are sending a message that they want energy independence, that they want a change. They understand that the Keystone Pipeline means energy independence.

Yes, this House will pass this bill. We will send it to the President. A little over a year ago, the President said, if Congress wouldn't act, he had a phone and a pen, and he would. Now Congress is acting, and he is saying: I have got a pen, and I am going to veto.

Which way is it, Mr. President? You can't have it both ways.

The SPEAKER pro tempore (Mr. YODER). The time of the gentleman has expired.

Mr. SHUSTER. I yield the gentleman an additional 30 seconds.

Mr. WEBER of Texas. Maybe, if the people on the other side of the aisle don't vote for this bill, we will get it passed, and the President will veto it. Then maybe Americans will elect some umpteen more Republicans.

It is time to move this bill and get it done.

Mr. PALLONE. Mr. Speaker, may I inquire how much time remains on both sides?

The SPEAKER pro tempore. The gentleman from New Jersey has 4 minutes remaining, and the gentleman from Pennsylvania has 3½ minutes remaining, and the gentleman from Michigan (Mr. UPTON) has 15 minutes remaining.

Mr. PALLONE. Mr. Speaker, I yield 2 minutes to the gentleman from Texas (Mr. GENE GREEN).

Mr. GENE GREEN of Texas. I want to thank our ranking member for allowing me to have 2 minutes to talk about how I support the Keystone pipeline. We have a little diversity on our side.

Mr. Speaker, I rise in support of S. 1, the Keystone XL Pipeline Approval Act.

I represent a refinery and chemical plant community in Houston, east Harris County, Texas. We have five refineries in my area alone, which would use that Keystone crude oil. In fact, Congressman WEBER has the eastern leg of it, and I have the western leg that actually stops in our district. We have two, big, old, huge tanks in Channelview, Texas, which are ready to get that oil and distribute it to our refineries. We have refineries, literally, from Corpus Christi over to Pascagoula in the Gulf of Mexico, on the gulf coast, that could use that crude oil. They are already using heavier crude from other parts of the world.

It has taken 6 years to get this permit for the pipeline's development. This is the longest study of any cross-border pipeline that I have ever seen. Unfortunately, because of the backlog, we have 11 other cross-border projects that have not moved through the process. Some of these are just a simple name change, and that is the problem. The Presidential permitting process has broken down. That is why Congress needs to act. The State Department has studied the project four different times. Each time, they have come back and have said that the environmental and climate impacts would be negligible.

Let me talk about the jobs issue.

We will have a year of high-paid pipefitters, teamsters, laborers, electrical workers—you name it. Those are great jobs, and they are high paying for a year. Construction jobs are temporary. Then they will go on to another job, and, frankly, in Texas, we have no shortage of need for pipelines even though I have never not lived on a pipeline easement in Houston, Texas.

The bill is not as perfect as I would like, but we need to send this bill to the President—it got out of the Senate—and give the President a chance to

do it. We need cross-border pipelines whether it is Canada to the United States, Texas to Mexico, or the United States to Mexico, or back.

Mr. Speaker, I rise today in support of S. 1, the Keystone XL Pipeline Approval Act. I represent a refinery/chemical plants. The refineries on the Gulf Coast will use the crude oil.

I rise in support of this bill because I support North American energy development.

The pipeline has been in development and waiting for approval for six years. This is the longest study of any cross-border pipeline that I have ever seen.

Unfortunately, because of this backlog, there are now 11 other cross-border projects that have not moved through the process.

Some of these projects are as simple as a name change.

The Presidential Permitting Process has become nothing more than a political game.

Opponents of domestic infrastructure projects use the process to delay projects endlessly in an attempt to raise money under the guise of environmental protection.

The State Department has studied this project four different times.

Each time, the Department reported back that the environmental and climate impacts would be negligible.

However, opponents of the project do not like that answer so they continue their attack until the project is deferred.

Opponents of the project now decry that because oil prices are low, more studies should be conducted.

Opponents cite low oil prices as a reason the federal government shouldn't approve the project.

Last time I checked, the federal government wasn't involved in private business decisions.

If oil prices remain low, the market will dictate which projects remain viable and which do not.

The federal government has one job to do and should complete its work in a timely fashion.

Further, opponents claim that Keystone XL will only result in 35 permanent jobs.

What they fail to address is that Keystone XL, along with the majority of other cross-border facilities, will create thousands of construction jobs.

Those who oppose the project say, those are only temporary jobs.

Well, to my friends who oppose the project, construction jobs by their very nature are temporary jobs.

But I can tell you this, the pipefitters, operating engineers, electrical and Teamster laborers that work on their segment of the pipeline are darn happy to have that job.

That is a large paycheck to help support his or her family.

I continue to urge support for the Keystone XL pipeline.

Mr. SHUSTER. Mr. Speaker, I yield myself such time as I may consume.

Once again, I ask my colleagues to support this bill, this pipeline, that is said to have been the most studied and will be the safest pipeline. It will help out one of our great allies, and it will help us keep energy costs down in this country. It will create over 40,000 infrastructure jobs. Yes, they are temporary, but as we all know, those jobs will go to helping the families of the

construction workers. They will move on to other jobs, and these will also be a spinoff to other jobs to help keep this pipeline viable for years to come.

Let me finish with a final quote from a well-known American—an American respected by the other side of the aisle, an American trusted by the other side of the aisle, an American listened to by the other side of the aisle. He says:

The pipeline increases the diversity of available supplies among the United States' worldwide crude oil sources in a time of considerable political tension in other major oil producing countries and regions; it shortens the transportation pathway for crude oil supplies; and it increases crude oil supplies from a major non-Organization of Petroleum Exporting Countries producer. Canada is a stable and reliable ally and trading partner of the United States with which we have free trade agreements which augment the security of this energy supply.

The approval of the permit sends a positive economic signal, in a difficult economic period, about the future reliability and availability of a portion of the United States' energy imports, and in the immediate term, this shovel-ready project will provide construction jobs for workers in the United States.

That American, ladies and gentlemen, is President Barack Obama. He said that in 2009, but he was talking about the Enbridge Alberta Clipper. I don't know what has changed, but this quote could go right towards this pipeline. It does all of the same things, and it has all of the positive impact that that pipeline has. I urge my colleagues to support this bill, to send it to the President, and to ask the President to reconsider his veto threat.

Mr. Speaker, how much time do I have remaining?

The SPEAKER pro tempore. The gentleman from Pennsylvania has 1½ minutes remaining.

Mr. SHUSTER. Mr. Speaker, I ask unanimous consent that the gentleman from Michigan (Mr. UPTON) control the remainder of my time.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

The SPEAKER pro tempore. The gentleman from Michigan has 16½ minutes remaining.

Mr. UPTON. Mr. Speaker, I yield myself 3 minutes.

Here we are, once again, to debate legislation on the Keystone XL pipeline. For the past 6 years, this project has been thoroughly vetted by the Congress and the administration. There is no question in my mind that the Keystone XL is in the national interest, so let's look again at the facts:

It is a jobs project. The President's own State Department has confirmed that Keystone is going to support 42,000 jobs across the country;

Keystone is going to be safe. Yes, it is. Pipelines remain one of the very safest and most efficient ways to transport energy, and Keystone is going to rank at the top of the class when it comes to safety. The pipeline, in fact, is going to incorporate some 59 additional safety standards proposed by

PHMSA, and it will adhere to the rigorous new pipeline safety standards on which I worked with John Dingell to get signed into law in the last Congress;

Keystone is better for the environment. Yes, it is. We know that Canada is going to continue to develop its rich oil sands regardless of whether we build the pipeline. If we don't build it, that oil is going to continue to get to the marketplace through other, more carbon-intensive means;

Keystone is going to enhance our energy security and help energy prices stay stable and affordable. We know this respite from high gas prices won't last forever, and prices have already begun to tick back up. By bringing more North American energy to the market, the pipeline can help protect us against future price spikes and overseas disruptions. We want as much certainty in the marketplace as we can.

The President said last week that, again, another reason he is against this is that gas prices are low. Yesterday's Wall Street Journal headline above the fold reads: "Oil-Price Rebound Predicted." That is right. They are going to go up. Americans understand supply and demand. The Keystone pipeline is very positive for us in the United States.

Mr. Speaker, I would like to enter into the RECORD a letter that we received just an hour or so ago from the Canadian Embassy.

CANADIAN EMBASSY,  
February 10, 2015.

DEAR MR. SECRETARY, I was quite disappointed to read the comments from the Environmental Protection Agency (EPA) with respect to the Keystone XL (KXL) application.

The EPA derives its greenhouse gas emissions (GHGs) calculations from a study using data from 2005, two years before iPhones existed, completely neglecting the innovation and emissions reductions that have since occurred in the oil sands.

Just as communication technology has advanced in the last ten years, so too has scientific analysis of the oil sands. There are more recent credible scientific numbers on oil sands emissions reductions. Canadian government data show that per barrel emissions have fallen 28% from 1990 to 2012. In 2014, both IHS-CERA (Dan Yergin's consultancy) and the California Air Resources Board data showed that average oil sands GHG emissions are in the same range as Venezuelan and Californian heavy oil and lower than several types of Venezuelan and Californian crudes. Furthermore, IHS-CERA has determined that 45% of the crude oils consumed in the United States are within the same GHG intensity range as those of the oil sands.

The EPA selected the highest GHG value among four studies considered by the State Department, and then assumed that KXL flows at capacity over fifty years, that KXL transports only oil sands crude, and most egregiously that the only crude displaced is Saudi light. By contrast, the State Department reported oil sands incremental emissions as a range from 1.3 to 27.4 megatonnes annually. The lower figure compared oil sands to Venezuelan and Mexican heavy crudes that would be displaced. The higher figure compared oil sands to Saudi light crude, an international benchmark, which

your Department noted, is not a direct competitor for heavy crude oil refineries. Clearly, the correct comparison is to the lower figure, not the higher figure.

In its April 22nd, 2013 comments on the same data, the EPA calculated an oil sands incremental GHG value some 46% lower than it is now claiming, and made no effort to explain why its calculation has now increased by 46%.

The EPA chose to ignore that the oil sands are produced in the only jurisdiction supplying oil to the United States that has imposed a carbon fee which is used to fund clean energy technologies.

The EPA questions the State Department's finding that, absent KXL, incremental volumes of Canadian oil will move to the U.S. Gulf Coast by rail. The EPA chose rather conveniently not to examine data for the last two years. Since the KXL application was first delayed in November 2011, crude oil by rail exports from Canada to the U.S. have jumped ten-fold, and continue to expand.

The EPA neither discusses nor disputes the State Department's findings that rail represents 28-42% higher GHG emissions than KXL.

The EPA neither discusses nor disputes the State Department's findings on safety. The State Department originally reported that KXL would represent one injury and no fatalities annually, as compared to 49 injuries and six fatalities for rail, then revised the rail figures from 49 to 189 injuries, and from six to 28 fatalities.

The EPA chose to ignore that Canada, an ally, has committed to an absolute reduction in our GHG emissions. No other major oil supplier to the United States can make this statement. In 2012, Canada's GHG emissions were down 5.1%, with more work ahead of us.

One is left with the conclusion that there has been significant distortion and omission to arrive at the EPA's conclusions.

There is no significant difference between the GHG emissions from oil sands crude oil and from other heavy crude oils that would be displaced at the U.S. Gulf Coast. As compared to rail, KXL represents lower GHG emissions, as well as lower environmental and public safety risks.

We would be pleased to discuss the gap between the EPA comments and the scientific analysis of the State Department.

Thank you for the opportunity to raise this issue with you.

Sincerely,

GARY DOER,  
Ambassador.

Mr. UPTON. In the letter from the Ambassador of Canada, he makes a number of good points, but he concludes by saying this:

"There is no significant difference between the GHG emissions from oil sands crude oil and from other heavy crude oils that would be displaced at the U.S. Gulf Coast. As compared to rail, KXL represents lower GHG emissions, as well as lower environmental and public safety risks."

The evidence is in. The case ought to be closed. There is no good reason for President Obama not to join with Republicans and Democrats to say, yes, it is time to build.

I reserve the balance of my time.

Mr. PALLONE. Mr. Speaker, how much time is now on the Republican side?

The SPEAKER pro tempore. The gentleman from Michigan has 13½ minutes remaining, and the gentleman from New Jersey has 2 minutes remaining.

Mr. PALLONE. Mr. Speaker, I reserve the balance of my time.

Mr. UPTON. Mr. Speaker, I yield 2 minutes to the gentleman from North Dakota (Mr. CRAMER), the sponsor of the House-passed bill.

Mr. CRAMER. I thank the chairman.

Mr. Speaker, I spent several minutes articulating the details of the benefits of this bill. I am grateful to Senator HOEVEN, my Senator from North Dakota, for introducing it in the Senate.

I want to answer just a couple of the questions because I think there are legitimate concerns being raised by my friends on the other side.

With regard to the price of oil being about \$50 and being low and that it, therefore, somehow negates the need for the pipeline, there are two things I would say. 2,336 days ago, the price of oil was approaching \$50, and Trans-Canada still applied for the pipeline. In fact, at low prices, the cost of transportation is an even more important consideration, and oil transported by rail costs about \$10 a barrel more than it does by pipeline. The pipeline is even more important in this environment.

□ 1615

With regard to the pump station spill in North Dakota, on the original pipeline, I know it well. I sited that line. The good news was that everything worked. The alarms went off. The bells shut down. The farmer even called the company. There was a spill. It was corrected. There was no negative environmental impact.

With regard to the types of jobs, I saw them firsthand. These are permanent jobs. Yes, they are temporary on that particular job, but 88 percent of the steel used in the Keystone XL pipeline has been sourced from North Carolina. That is 88 percent.

I want to finish by reading this quote from Danny Hendrix. Danny says this with regard to what kind of jobs will be created by the XL:

They've got health care for another year. They've got a pension credit for when they retire. It means that those families have got health care, dental care—so it means a lot. It means they can make a house payment. It means they can send their kids to college.

Danny Hendrix is a business manager for Pipeliners Local 798 in Tulsa, Oklahoma.

These are real jobs, and to belittle them in any way, Mr. Speaker, to degrade them in any way, is intellectually dishonest and disrespectful.

Mr. UPTON. Mr. Speaker, I yield 2 minutes to the gentleman from Pennsylvania (Mr. KELLY).

Mr. KELLY of Pennsylvania. I thank the gentleman.

Mr. Speaker, I rise in strong support of the Keystone XL pipeline. It is going to create 42,000 jobs. By the way, those jobs that you are talking about that will be part-time, I guarantee you the Department of Labor will include them in their numbers when they talk about how great we are becoming.

This is the most federally reviewed pipeline in U.S. history—it is 6 years—

and the thing about this that is most impressive is it doesn't cost the American taxpayer one single penny. It is privately funded. And I would guarantee you that along that pipeline, as it is constructed, all those communities are going to benefit from the fact they have people working there, staying in their hotels, buying their food, enhancing their local economy.

How many more times do we have to talk about this? This is not a Republican issue, by the way. This is an American issue. A majority of the American people support this, and Democrats and Republicans in both the House and the Senate. It is bipartisan and bicameral. My goodness, how rare is that? Business groups and labor unions. You know what? Even President Bill Clinton and President Bush agree this is something that needs to be done.

News outlets from Bloomberg to The Washington Post to USA Today all say: Build it.

USA Today gets it right. They say:

On the merits, the Obama administration should long ago have said yes . . . but the White House seems to have been paralyzed by its fear of angering our ally Canada if it says no or infuriating Democratic environmentalists if it says yes . . . It is long past time to say yes.

President Obama must say "yes" to new jobs, he must say "yes" to bipartisanship, he must say "yes" to good government, he must say "yes" to America, and he must say "yes" to the Keystone pipeline. It is long past due, my friends.

Let's move American forward, let's become energy self-sustaining, and let's be the leader in the world when it comes to energy. This debate is way past time, and the thought that we shouldn't do it now because the oil market is down, my goodness, nothing could be further from the truth.

Mr. UPTON. Mr. Speaker, I yield 2 minutes to the gentlewoman from Wyoming (Mrs. LUMMIS).

Mrs. LUMMIS. Mr. Speaker, I am having kind of a *deja vu* moment and a holy cow moment both at the same time. It is *deja vu* because we already passed a Homeland Security funding bill. So that bill has shifted to the Senate. Somebody apparently didn't get that memo. I am having this holy cow moment because I can't believe I am standing up here in support of the Senate-passed Keystone XL Pipeline Approval Act.

Mr. Speaker, the broad support for building the Keystone XL pipeline is truly remarkable. This bill is bipartisan. It is bicameral. In fact, it commanded a supermajority in the Senate. A majority of the American people want to see the pipeline constructed. The pipeline has been studied and studied and studied again, in fact, way up to the State Department, which approved the pipeline more than a year ago.

This kind of support for a piece of legislation is a rarity in Washington. It

doesn't get any better than this. And that is because the pipeline has unquestionable merit. It directly creates jobs. It is a shot in the arm for our energy economy. It will make America more energy secure, an aspiration of Presidents and Congresses for decades. And it is now within our grasp if we choose to seize it. Why our President would choose to veto this bill is beyond rational explanation. Its economic benefits could not be more evident.

Mr. Speaker, I sincerely hope the President reconsiders his threat to veto this so American workers can finally start to construct and reap the benefits for the American people.

Mr. UPTON. Mr. Speaker, I yield 2 minutes to the gentleman from Arkansas (Mr. HILL).

Mr. HILL. Mr. Speaker, I rise today in support of approving the Keystone XL pipeline. The pipeline is widely supported by Americans and by a bipartisan majority in this House and in the Senate.

In the more than 6 years since the application to build the pipeline, the President has refused to authorize it, citing two reasons. Number one, environmental challenges. But, Mr. Speaker, the pipeline has undergone numerous environmental assessments, and the U.S. State Department's Final Supplemental Environmental Impact Statement confirms the minimal impact of the pipeline on the environment.

Number two, legal challenges. But, Mr. Speaker, on January 9, 2015, the Nebraska Supreme Court approved the pathway of the pipeline.

The President has no more excuses to deny the completion of the Keystone XL, and I urge him to rescind his veto threat of this critical energy and infrastructure bill.

Americans want a true all-of-the-above energy policy that boosts our goal of North American energy independence, benefits consumers, creates jobs, protects our environment, and preserves our natural resources.

This bill accomplishes all of those goals. However, Mr. Speaker, the President continues to block this essential energy and infrastructure project and the jobs it would provide to our hardworking American families.

Further, due to the bureaucratic delays of the past 6 years, this project is now costing 50 percent more than its original announcement.

In my district alone, the pipeline has supported over 600 jobs at Welspun Tubular, headquartered in Little Rock, Arkansas, where 700 miles of this pipe are stacked up at the rail head ready to put in the ground.

Mr. Speaker, if approved, this project will provide thousands more jobs and over \$3.4 billion for our Nation's economy. The President is out of excuses. It is time to approve this project.

Mr. PALLONE. Mr. Speaker, I yield 1 minute to the gentleman from Tennessee (Mr. COHEN).

Mr. COHEN. Mr. Speaker, the gentleman said this is the time to pass it.

It is not the time to pass it. The time to pass it is after all the reports and studies are in. The State Department hasn't completed its study.

It is kind of like what we are doing in this Congress. We are not going by our regular procedures. We are not having bills in committee and opportunities for amendments on the floor because we bring things up here to make it the political issue du jour.

This is not the time for the bill, just like it is not the time for the Prime Minister to come and speak from that well. It should be after his election and after the negotiations with Iran are over. This should be after the State Department has told us what their opinion is, and then let the President make his decision.

We should go back to regular order. I hope the House will return to regular order.

Mr. UPTON. Mr. Speaker, I yield 1 minute to the gentleman from Georgia (Mr. ALLEN).

Mr. ALLEN. I thank the gentleman for yielding.

Mr. Speaker, I rise today in strong support of the Keystone XL Pipeline Approval Act.

I think on both sides all we talk about is creating jobs. For 6 years, this project has been studied. We hear that over and over again. Every environmental report has been favorable. In fact, the President's own State Department says that the construction of this pipeline will create tens of thousands of jobs.

At a time when millions of Americans are struggling, this is a project that is ready to go. As we said, we have pipeline stacked up and ready to put in the ground.

The Keystone pipeline is not just important to growing our economy. This project is critical to securing North American energy independence and reducing our dependence on foreign oil.

Congress has taken action with bipartisan support, and finally we will put this priority on the President's desk. I urge the President to listen to the American people who support this project and reconsider his threat to veto this critical legislation.

Mr. PALLONE. Mr. Speaker, I yield 1 minute to the gentleman from Georgia (Mr. CARTER).

Mr. CARTER of Georgia. Thank you, Mr. Chairman, for yielding time and the work you have done on this bill.

Mr. Speaker, I rise today in support of S. 1 to approve the Keystone XL pipeline after what has turned out to be an unacceptable 6-year delay by the Obama administration.

Many have stated that this bill is about creating jobs. And guess what? They are right. The pipeline would create over 40,000 jobs without a dime of taxpayer funding, helping to pull eager American workers out of the unemployment line.

Approval of the pipeline would also bring down energy costs here at home, lifting a huge burden on hardworking families, small businesses, and farmers.

Moreover, clearing the construction of the Keystone pipeline puts us closer to North American energy independence to reduce our dependence on oil from foreign sources that are all too often at odds with America's interests and our national security.

So the bill we debate today is about jobs. It is about making energy more affordable. But it is also about making our country safer. This bill will help us stop funding both sides of the war on terror.

Mr. Speaker, I support this bill.

Mr. UPTON. Mr. Speaker, may I ask how much time is remaining on both sides?

The SPEAKER pro tempore. The gentleman from Michigan (Mr. UPTON) has 4 minutes remaining. The gentleman from New Jersey (Mr. PALLONE) has 1 minute remaining.

Mr. UPTON. Mr. Speaker, I am not aware that we have any further speakers. I am willing to close, if the gentleman goes first.

Mr. PALLONE. Mr. Speaker, I yield myself the balance of my time.

The bill grants a regulatory earmark to TransCanada Corporation, effectively exempting TransCanada's Keystone tar sands pipeline from all Federal permitting requirements, including requirements that apply to every other construction project in the country.

Keystone will increase carbon pollution and threaten critical water resources. Tar sands are a dirty, high-polluting fuel. On a lifecycle basis, tar sands crude produces up to 40 percent more carbon pollution than conventional oil. And even with the current proposed route, leaks from the highly corrosive crude in the pipeline would still threaten the aquifer, a critical resource for drinking water and irrigation.

Mr. Speaker, we don't need this dirty oil. Since Keystone was proposed, we have cut U.S. oil demand. We have dramatically boosted less-polluting U.S. oil production. In fact, much of the tar sands oil will not go to America but will go through America and be exported overseas. This leaves the United States with all the risk and no reward.

I would urge my colleagues once again to vote "no" on this legislation. It is not good for this country.

I yield back the balance of my time.

Mr. UPTON. Mr. Speaker, I yield myself the balance of my time.

Mr. Speaker, this is not new science. We have got existing oil and gas pipelines that cross the border. We have got a million miles of pipeline or so within the United States. Safety standards, rightly so, are a lot higher than they used to be, and we will continue to oversee this.

Canada is our friend. We get oil and gas from Canada today. We have expanded many of our refineries by billions of dollars trying to get prepared for new pipeline commodities coming from the north.

It is time to build this. It has been 6 years. I remember well Secretary of

State Hillary Clinton a number of years ago saying that they would be ready before the end of that year to complete their studies to get this thing done. Well, 6 years has now come, and it is time for us to act.

The Nebraska Supreme Court has ruled the way that they did in support of this. We know that the carbon footprint is less by putting it in a pipeline, and we know that it is safer than other means of transportation.

Again, we know that Canada is going to sell this oil somewhere. And if they don't get it in a pipeline here to the U.S., that pipeline is going to go 2,000 miles to the east and get on a boat or a barge—a higher carbon footprint. Isn't it better to do it here, to build it, put it in a pipeline here in the U.S.?

□ 1630

This bill, we were accepting the Senate bill. Yes, they finally passed this bill. Let's pass this bill this afternoon. Let's send it to the President. Let's hope that he might reconsider a proposed veto on this bill, and let's deal with the issue, and let's get it done.

There is a reason why better than 65 percent of Americans support this. They understand it. They understand supply and demand. We want gas prices to stay stable. We know that this oil that we get from Canada will displace oil coming either from the Middle East or from Venezuela. Why is that not a good thing?

Please vote "yes."

Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. All time for debate has expired.

Pursuant to House Resolution 100, the previous question is ordered on the bill.

The question is on the third reading of the bill.

The bill was ordered to be read a third time and was read the third time.

MOTION TO COMMIT

Mrs. CAPPs. Mr. Speaker, I have a motion to commit at the desk.

The SPEAKER pro tempore. Is the gentleman opposed to the bill?

Mrs. CAPPs. Yes, I am.

The SPEAKER pro tempore. The Clerk will report the motion to commit.

The Clerk read as follows:

Mrs. Capps moves to commit the bill S. 1 to the Committee on Energy and Commerce with instructions to report the same back to the House forthwith with the following amendment:

After section 2, insert the following (and redesignate subsequent sections accordingly):

**SEC. 3. REQUIREMENT THAT TRANSCANADA KEYSTONE PIPELINE, L.P. PAY FOR ANY OIL SPILL CLEANUP ON AMERICAN SOIL.**

In the approval process authorized under section 2, TransCanada Keystone Pipeline, L.P. shall certify to the President that diluted bitumen and other materials derived from tar sands or oil sands that are transported through the Keystone XL pipeline will be treated as crude oil for the purposes of determining contributions that fund the Oil Spill Liability Trust Fund.

Mr. UPTON (during the reading). Mr. Speaker, I reserve a point of order against the motion to commit.

The SPEAKER pro tempore. A point of order is reserved.

The Clerk will read.

The Clerk continued to read.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from California is recognized for 5 minutes in support of her motion.

Mrs. CAPPs. Mr. Speaker, I rise today to offer the final amendment to this bill.

Passage of this amendment will not prevent passage of the underlying bill. If it is adopted, my amendment will simply be incorporated into the bill, and the bill would be immediately voted upon.

Mr. Speaker, no matter if you support or oppose Keystone XL, we can all agree that extracting and transporting oil has some serious risks. It only takes one small crack, one small mistake, to cause a major oil spill and a catastrophe, irreparable damage to the surrounding communities and to the environment.

History has shown us that there is simply no such thing as a spillproof well or pipeline. Accidents happen, and they will continue to happen, regardless of what we are told by the oil companies building and maintaining the pipelines.

In fact, accidents have already happened 14 times on the existing section of the Keystone pipeline, and these oil spills don't just devastate the surrounding environment. They harm lives and livelihoods as well.

In 1969, my home district in California experienced one of the worst oil spills in American history. I saw, firsthand, the devastating damage to our local economy, to human health, to property, to natural resources. We have sadly seen this happen far too many times since then in communities all around this country.

The Deepwater Horizon disaster cost 11 lives, billions of dollars in economic damages, and untold devastation to the delicate ecosystem of the gulf. That very same year, we saw as well a terrible spill in Kalamazoo, Michigan. This spill was particularly noteworthy because it involved tar sands oil, which is the same type of oil that would flow through the Keystone pipeline.

Tar sands oil is much harder to clean up than standard crude, which is one of the reasons the spill took nearly \$1 billion and several years to clean up.

Mr. Speaker, despite numerous assurances that Keystone XL will be safer and that the risk of a spill will be minimal, safer simply does not equal safe. That is why we have the oil spill liability trust fund, to ensure that the oil companies that create these messes will also pay for them to clean them up.

This trust fund is financed by an 8 cents per-barrel fee on crude oil and petroleum products, but TransCanada is currently not even required to contribute to the trust fund for Keystone

because tar sands oil is not considered crude oil for purposes of this program—a loophole, if I have ever heard of one.

If there is a spill, taxpayers and local communities, not those responsible, could be stuck paying for this cleanup. That is why I am offering this straight-forward amendment.

My amendment would simply require TransCanada to certify that it will pay the same per-barrel fee for its tar sands oil as it does for its regular crude. It would ensure that TransCanada—and not taxpayers—pay to clean up its own mess in the event of a spill.

I have offered this amendment several times before, both in committee and here on the floor, so the majority should be quite familiar with this issue. In fact, the majority has assured us on several occasions that they would work with us, on Ways and Means Committee as well, to resolve this issue; yet the majority has failed to even propose a meaningful solution, let alone bring one to the floor for a vote.

Mr. Speaker, this is a straight-forward issue that should have bipartisan support. We taxpayers, if we are going to bear 100 percent of the risk of an oil spill from this Keystone pipeline, the least we can do is to ensure that those that are responsible for it also pay to clean it up.

I urge my colleagues to adopt this amendment, to protect American taxpayers, and hold oil companies accountable.

Mr. Speaker, I yield back the balance of my time.

Mr. UPTON. Mr. Speaker, I withdraw my reservation of a point of order.

The SPEAKER pro tempore. The reservation of the point of order is withdrawn.

Mr. UPTON. Mr. Speaker, I claim the time in opposition to the gentleman's motion.

The SPEAKER pro tempore. The gentleman from Michigan is recognized for 5 minutes.

Mr. UPTON. Mr. Speaker, I might just start off by asking my dear friend from California a quick question: If this motion was adopted, would she be voting for the bill? Yes or no.

I yield to the gentlewoman.

Mrs. CAPPs. As I said in my opening remarks, I would not, but as we know, the bill would still pass.

Mr. UPTON. Reclaiming my time, I appreciate the gentlelady's interest on this, and I share her concern.

I would note, and I know that I would also speak for my colleague, Chairman SHUSTER, as we did write then-chairman of the Ways and Means Committee, Dave Camp, back in 2012, May 21, I sent a letter to the Ways and Means chair encouraging that this exemption be—loophole—be fixed.

As you know, meaningful tax reform did not emerge from the last Congress. I remain absolutely committed to resolving this, as I know BILL SHUSTER has said so on the RECORD.

Besides that though, it has been years that we have been debating this,

and we finally have a bill out of the Senate. They took a whole month on the other side. They considered lots of amendments. They adopted three. We are accepting those three amendments when this bill passes today, as we did not go to conference.

As we know, this is a jurisdictional issue, that neither our committee nor Transportation has jurisdiction over tax issues. That is why we were not able to include that provision here, and that is, frankly, why the Senate was not able to adopt it on the Senate side either, because it would have been a blue slip issue.

We view this on our side as a procedural issue. We don't want to send it back to the Senate. Who knows when we are going to get it back after the last month that they had.

I would urge my colleagues on our side to vote "no" on this procedural vote. To the folks on your side that are voting, just know that we remain committed to closing this loophole.

Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. Without objection, the previous question is ordered on the motion to commit.

There was no objection.

The SPEAKER pro tempore. The question is on the motion to commit.

The question was taken; and the Speaker pro tempore announced that the yeas appeared to have it.

Mrs. CAPPs. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 and clause 9 of rule XX, this 15-minute vote on the motion to commit will be followed by 5-minute votes on passage of the bill, if ordered; and the motion to suspend the rules and pass H.R. 431.

The vote was taken by electronic device, and there were—yeas 181, nays 241, not voting 10, as follows:

[Roll No. 74]

YEAS—181

|               |              |                |
|---------------|--------------|----------------|
| Adams         | Connolly     | Garamendi      |
| Aguilar       | Conyers      | Graham         |
| Ashford       | Cooper       | Grayson        |
| Bass          | Courtney     | Green, Al      |
| Beatty        | Crowley      | Green, Gene    |
| Becerra       | Cuellar      | Grijalva       |
| Bera          | Cummings     | Gutiérrez      |
| Beyer         | Davis (CA)   | Hahn           |
| Bishop (GA)   | Davis, Danny | Hastings       |
| Blumenauer    | DeFazio      | Heck (WA)      |
| Bonamici      | DeGette      | Higgins        |
| Boyle (PA)    | Delaney      | Himes          |
| Brady (PA)    | DeLauro      | Hinojosa       |
| Brown (FL)    | DelBene      | Honda          |
| Brownley (CA) | DeSaunier    | Huffman        |
| Bustos        | Dingell      | Israel         |
| Butterfield   | Doggett      | Jackson Lee    |
| Capps         | Doyle (PA)   | Jeffries       |
| Capuano       | Duncan (TN)  | Johnson (GA)   |
| Cárdenas      | Edwards      | Johnson, E. B. |
| Carney        | Ellison      | Jones          |
| Carson (IN)   | Engel        | Keating        |
| Castor (FL)   | Eshoo        | Kelly (IL)     |
| Castro (TX)   | Esty         | Kennedy        |
| Chu (CA)      | Farr         | Kildee         |
| Ciulline      | Fattah       | Kilmer         |
| Clark (MA)    | Poster       | Kind           |
| Clarke (NY)   | Frankel (FL) | Kirkpatrick    |
| Clay          | Fudge        | Kuster         |
| Cleaver       | Gabbard      | Langevin       |
| Clyburn       | Gallego      | Larsen (WA)    |
| Cohen         |              | Larson (CT)    |

|                |                |                |
|----------------|----------------|----------------|
| Lawrence       | Nolan          | Sewell (AL)    |
| Levin          | Norcross       | Sherman        |
| Lewis          | O'Rourke       | Sinema         |
| Lieu (CA)      | Pallone        | Sires          |
| Lipinski       | Pascarell      | Slaughter      |
| Loeb sack      | Payne          | Smith (WA)     |
| Lofgren        | Pelosi         | Speier         |
| Lowenthal      | Perlmutter     | Swalwell (CA)  |
| Lowe y         | Peters         | Takai          |
| Lujan Grisham  | Peterson       | Takano         |
| (NM)           | Pingree        | Thompson (CA)  |
| Luján, Ben Ray | Pocan          | Thompson (MS)  |
| (NM)           | Polis          | Titus          |
| Lynch          | Price (NC)     | Tonko          |
| Maloney,       | Quigley        | Torres         |
| Carolyn        | Rangel         | Tsongas        |
| Maloney, Sean  | Rice (NY)      | Van Hollen     |
| Matsui         | Richmond       | Vargas         |
| McCollum       | Roybal-Allard  | Veasey         |
| McDermott      | Ruppersberger  | Vela           |
| McGovern       | Rush           | Velázquez      |
| McNerney       | Ryan (OH)      | Visclosky      |
| Meeks          | Sánchez, Linda | Walz           |
| Meng           | T.             | Wasserman      |
| Moore          | Sarbanes       | Schultz        |
| Moulton        | Schakowsky     | Waters, Maxine |
| Murphy (FL)    | Schiff         | Watson Coleman |
| Nadler         | Schrader       | Welch          |
| Napolitano     | Scott (VA)     | Wilson (FL)    |
| Neal           | Serrano        | Yarmuth        |

NAYS—241

|               |                 |               |
|---------------|-----------------|---------------|
| Abraham       | Franks (AZ)     | McCaul        |
| Aderholt      | Frelinghuysen   | McClintock    |
| Allen         | Garrett         | McHenry       |
| Amash         | Gibbs           | McKinley      |
| Amodei        | Gibson          | McMorris      |
| Babin         | Gohmert         | Rodgers       |
| Barletta      | Goodlatte       | McSally       |
| Barr          | Gosar           | Meadows       |
| Barton        | Gowdy           | Meehan        |
| Benishek      | Granger         | Messer        |
| Bilirakis     | Graves (GA)     | Mica          |
| Bishop (MI)   | Graves (LA)     | Miller (FL)   |
| Bishop (UT)   | Graves (MO)     | Miller (MI)   |
| Black         | Griffith        | Moolenaar     |
| Blackburn     | Grothman        | Mooney (WV)   |
| Blum          | Guinta          | Mullin        |
| Bost          | Guthrie         | Mulvaney      |
| Boustany      | Hanna           | Murphy (PA)   |
| Brady (TX)    | Hardy           | Neugebauer    |
| Brat          | Harper          | Newhouse      |
| Bridenstine   | Harris          | Noem          |
| Brooks (AL)   | Hartzler        | Nugent        |
| Brooks (IN)   | Heck (NV)       | Nunes         |
| Buchanan      | Hensarling      | Olson         |
| Buck          | Herrera Beutler | Palazzo       |
| Bucshon       | Hice (GA)       | Palmer        |
| Burgess       | Hill            | Paulsen       |
| Byrne         | Holding         | Pearce        |
| Calvert       | Hudson          | Perry         |
| Carter (GA)   | Huelskamp       | Pittenger     |
| Carter (TX)   | Huizenga (MI)   | Pitts         |
| Chabot        | Hultgren        | Poe (TX)      |
| Chaffetz      | Hunter          | Poliquin      |
| Clawson (FL)  | Hurd (TX)       | Pompeo        |
| Coffman       | Hurt (VA)       | Posey         |
| Cole          | Issa            | Price (GA)    |
| Collins (GA)  | Jenkins (KS)    | Ratcliffe     |
| Collins (NY)  | Jenkins (WV)    | Reed          |
| Comstock      | Johnson (OH)    | Reichert      |
| Conaway       | Johnson, Sam    | Renacci       |
| Cook          | Jolly           | Ribble        |
| Costa         | Jordan          | Rice (SC)     |
| Costello (PA) | Joyce           | Rigell        |
| Cramer        | Katko           | Roby          |
| Crawford      | Kelly (PA)      | Rogers (AL)   |
| Crenshaw      | King (IA)       | Rogers (KY)   |
| Culberson     | King (NY)       | Rohrabacher   |
| Curbelo (FL)  | Kinzinger (IL)  | Rokita        |
| Davis, Rodney | Kline           | Rooney (FL)   |
| Denham        | Knight          | Ros-Lehtinen  |
| Dent          | Labrador        | Roskam        |
| DeSantis      | LaMalfa         | Ross          |
| DesJarlais    | Lamborn         | Rothfus       |
| Diaz-Balart   | Lance           | Rouzer        |
| Dold          | Latta           | Royce         |
| Duffy         | LoBiondo        | Russell       |
| Duncan (SC)   | Long            | Ryan (WI)     |
| Ellmers       | Loudermilk      | Salmon        |
| Emmer         | Love            | Sanford       |
| Farenthold    | Lucas           | Scalise       |
| Fincher       | Luetkemeyer     | Schock        |
| Fleischmann   | Lummis          | Schweikert    |
| Fleming       | MacArthur       | Scott, Austin |
| Flores        | Marchant        | Sensenbrenner |
| Forbes        | Marino          | Sessions      |
| Fortenberry   | Massie          | Shimkus       |
| Foxx          | McCarthy        | Shuster       |

Simpson  
Smith (MO)  
Smith (NE)  
Smith (NJ)  
Smith (TX)  
Stefanik  
Stewart  
Stivers  
Stutzman  
Thompson (PA)  
Thornberry  
Tiberi  
Tipton  
Trott

Turner  
Upton  
Valadao  
Wagner  
Walberg  
Walden  
Walker  
Walorski  
Walters, Mimi  
Weber (TX)  
Webster (FL)  
Wenstrup  
Westerman  
Westmoreland

Whitfield  
Williams  
Wilson (SC)  
Wittman  
Womack  
Woodall  
Yoder  
Yoho  
Young (AK)  
Young (IA)  
Young (IN)  
Zeldin  
Zinke

Joyce  
Katko  
Kelly (PA)  
King (IA)  
King (NY)  
Olson  
Palazzo  
Palmer  
Paulsen  
Pearce  
Perry  
Peterson  
Lance  
Pitts  
Poe (TX)  
LoBiondo  
Loeb  
Loeb  
Long  
Loudermilk  
Love  
Lucas  
Luetkemeyer  
Lummis  
MacArthur  
Maloney, Sean  
Marchant  
Marino  
Massie  
McCarthy  
McCaul  
McClintock  
McHenry  
McKinley  
McMorris  
Rodgers  
McSally  
Meadows  
Meehan  
Messer  
Mica  
Miller (FL)  
Miller (MI)  
Moolenaar  
Mooney (WV)  
Mullin  
Mulvaney  
Murphy (FL)  
Murphy (PA)  
Neugebauer  
Newhouse  
Noem

Nolan  
Norcross  
Nugent  
Nunes  
Olson  
Palazzo  
Palmer  
Paulsen  
Pearce  
Perry  
Peterson  
Lance  
Pitts  
Poe (TX)  
LoBiondo  
Loeb  
Loeb  
Long  
Loudermilk  
Love  
Lucas  
Luetkemeyer  
Lummis  
MacArthur  
Maloney, Sean  
Marchant  
Marino  
Massie  
McCarthy  
McCaul  
McClintock  
McHenry  
McKinley  
McMorris  
Rodgers  
McSally  
Meadows  
Meehan  
Messer  
Mica  
Miller (FL)  
Miller (MI)  
Moolenaar  
Mooney (WV)  
Mullin  
Mulvaney  
Murphy (FL)  
Murphy (PA)  
Neugebauer  
Newhouse  
Noem

Sewell (AL)  
Thompson (CA)  
Thompson (MS)  
Titus  
Tonko  
Torres  
Tsongas

Van Hollen  
Vargas  
Velázquez  
Vislosky  
Wasserman  
Schultz

Waters, Maxine  
Watson Coleman  
Welch  
Wilson (FL)  
Yarmuth

NOT VOTING—10

Cartwright  
Doggett  
Duckworth  
Fitzpatrick

Hoyer  
Kaptur  
Lee  
Roe (TN)

Ruiz  
Sanchez, Loretta

□ 1713

So the bill was passed.  
The result of the vote was announced as above recorded.  
A motion to reconsider was laid on the table.

Cartwright  
Duckworth  
Fitzpatrick  
Hoyer

NOT VOTING—10

Kaptur  
Lee  
Roe (TN)  
Ruiz

Sanchez, Loretta  
Scott, David

□ 1704

Messrs. FINCHER, NEUGEBAUER, and MARCHANT changed their vote from “yea” to “nay.”

Messrs. JONES, CICILLINE, POLIS, and SWALWELL of California changed their vote from “nay” to “yea.”

So the motion to commit was rejected.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

The SPEAKER pro tempore. The question is on the passage of the bill.

The question was taken; and the Speaker pro tempore announced that the yeas appeared to have it.

Mr. PALLONE. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 270, nays 152, not voting 10, as follows:

[Roll No. 75]

YEAS—270

Abraham  
Aderholt  
Allen  
Amodei  
Ashford  
Babin  
Barletta  
Barr  
Barton  
Benishek  
Bilirakis  
Bishop (GA)  
Bishop (MI)  
Bishop (UT)  
Black  
Blackburn  
Blum  
Bost  
Boustany  
Brady (PA)  
Brady (TX)  
Brat  
Bridenstine  
Brooks (AL)  
Brooks (IN)  
Buchanan  
Buck  
Bucshon  
Burgess  
Bustos  
Byrne  
Calvert  
Carter (GA)  
Carter (TX)  
Chabot  
Chaffetz  
Clawson (FL)  
Clyburn  
Coffman  
Cole  
Collins (GA)

Collins (NY)  
Comstock  
Conaway  
Cook  
Cooper  
Costa  
Costello (PA)  
Cramer  
Crawford  
Crenshaw  
Cuellar  
Culberson  
Curbelo (FL)  
Davis, Rodney  
Denham  
Dent  
DeSantis  
DesJarlais  
Diaz-Balart  
Dold  
Doyle (PA)  
Duffy  
Duncan (SC)  
Duncan (TN)  
Ehlers  
Emmer  
Farenthold  
Fincher  
Fleischmann  
Flores  
Forbes  
Fortenberry  
Fox  
Fox  
Franks (AZ)  
Frelinghuysen  
Garrett  
Gibbs  
Gibson  
Gohmert  
Goodlatte

Gosar  
Gowdy  
Graham  
Granger  
Graves (GA)  
Graves (LA)  
Graves (MO)  
Green, Al  
Green, Gene  
Griffith  
Grothman  
Guinta  
Guthrie  
Hanna  
Hardy  
Harper  
Harris  
Hartzler  
Heck (NV)  
Hensarling  
Herrera Beutler  
Hice (GA)  
Hill  
Hinojosa  
Holding  
Hudson  
Huelskamp  
Huizenga (MI)  
Hultgren  
Hunter  
Hurd (TX)  
Hurt (VA)  
Issa  
Jackson Lee  
Jenkins (KS)  
Jenkins (WV)  
Johnson (OH)  
Johnson, Sam  
Jolly  
Jones  
Jordan

Adams  
Aguilar  
Amash  
Bass  
Beatty  
Becerra  
Bera  
Beyer  
Blumenauer  
Bonamici  
Boyle (PA)  
Brown (FL)  
Brownley (CA)  
Butterfield  
Capps  
Capuano  
Cárdenas  
Carney  
Carson (IN)  
Castor (FL)  
Castro (TX)  
Chu (CA)  
Ciulline  
Clark (MA)  
Clarke (NY)  
Clay  
Cleaver  
Cohen  
Connolly  
Conyers  
Courtney  
Crowley  
Cummings  
Davis (CA)  
Davis, Danny  
DeFazio  
DeGette  
Delaney  
DeLauro  
DelBene  
DeSaulnier  
Deutch  
Dingell  
Edwards  
Elison  
Engel  
Eshoo

NAYS—152

Esty  
Farr  
Fattah  
Poster  
Frankel (FL)  
Fudge  
Gabbard  
Gallego  
Garamendi  
Grayson  
Grijalva  
Gutiérrez  
Hahn  
Hastings  
Heck (WA)  
Higgins  
Himes  
Honda  
Huffman  
Israel  
Jeffries  
Johnson (GA)  
Johnson, E. B.  
Keating  
Kelly (IL)  
Kennedy  
Kildee  
Kilmer  
Kind  
Kirkpatrick  
Kuster  
Langevin  
Larsen (WA)  
Larson (CT)  
Lawrence  
Levin  
Lewis  
Lieu (CA)  
Lofgren  
Lowenthal  
Lowe  
Lujan Grisham  
Lujan, Ben Ray  
Lynch

Maloney.  
Carolyn  
Matsui  
McCollum  
McDermott  
McGovern  
McNerney  
Meeks  
Meng  
Moore  
Moulton  
Nadler  
Napolitano  
Neal  
O'Rourke  
Pallone  
Pascrell  
Payne  
Pelosi  
Perlmutter  
Peters  
Pingree  
Pocan  
Polis  
Price (NC)  
Quigley  
Rangel  
Rice (NY)  
Roybal-Allard  
Ruppersberger  
Rush  
Ryan (OH)  
Sanchez, Linda  
T.  
Sarbanes  
Schakowsky  
Schiff  
Scott (VA)  
Serrano  
Sherman  
Sinema  
Slaughter  
Smith (WA)  
Speier  
Swalwell (CA)  
Takai  
Takano

AWARDING CONGRESSIONAL GOLD MEDAL TO THE FOOT SOLDIERS WHO PARTICIPATED IN BLOODY SUNDAY, TURNAROUND TUESDAY, OR THE FINAL SELMA TO MONTGOMERY VOTING RIGHTS MARCH IN MARCH OF 1965

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and pass the bill (H.R. 431) to award a Congressional Gold Medal to the Foot Soldiers who participated in Bloody Sunday, Turnaround Tuesday, or the final Selma to Montgomery Voting Rights March in March of 1965, which served as a catalyst for the Voting Rights Act of 1965, on which the yeas and nays were ordered.

The Clerk read the title of the bill.  
The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Michigan (Mr. HUIZENGA) that the House suspend the rules and pass the bill.

This is a 5-minute vote.  
The vote was taken by electronic device, and there were—yeas 420, nays 0, not voting 12, as follows:

[Roll No. 76]

YEAS—420

Abraham  
Adams  
Aderholt  
Aguilar  
Allen  
Amash  
Amodei  
Ashford  
Babin  
Barton  
Benishek  
Bera  
Beyer  
Bilirakis  
Bishop (GA)  
Bishop (MI)  
Bishop (UT)  
Black  
Blackburn  
Blum  
Bost  
Boustany  
Brady (PA)  
Brady (TX)  
Chabot  
Chaffetz  
Clawson (FL)  
Clyburn  
Coffman  
Cole  
Collins (GA)  
Collins (NY)  
Comstock

Brooks (IN)  
Brown (FL)  
Brownley (CA)  
Buchanan  
Buck  
Bucshon  
Burgess  
Bustos  
Butterfield  
Byrne  
Calvert  
Capps  
Capuano  
Cárdenas  
Carney  
Carson (IN)  
Carter (GA)  
Carter (TX)  
Castor (FL)  
Castro (TX)  
Chabot  
Chaffetz  
Chu (CA)  
Ciulline  
Clark (MA)  
Clarke (NY)  
Clawson (FL)  
Cohen  
Cohen  
Collins (GA)  
Collins (NY)  
Comstock

Conaway  
Connolly  
Conyers  
Cook  
Cooper  
Costa  
Costello (PA)  
Courtney  
Cramer  
Crawford  
Crenshaw  
Crowley  
Cuellar  
Culberson  
Cummings  
Curbelo (FL)  
Davis (CA)  
Davis, Danny  
Davis, Rodney  
DeFazio  
DeGette  
Delaney  
DeLauro  
DeBene  
Denham  
Dent  
DeSantis  
DeSaulnier  
DesJarlais  
Deutch  
Diaz-Balart  
Dingell  
Doggett  
Dold  
Doyle (PA)